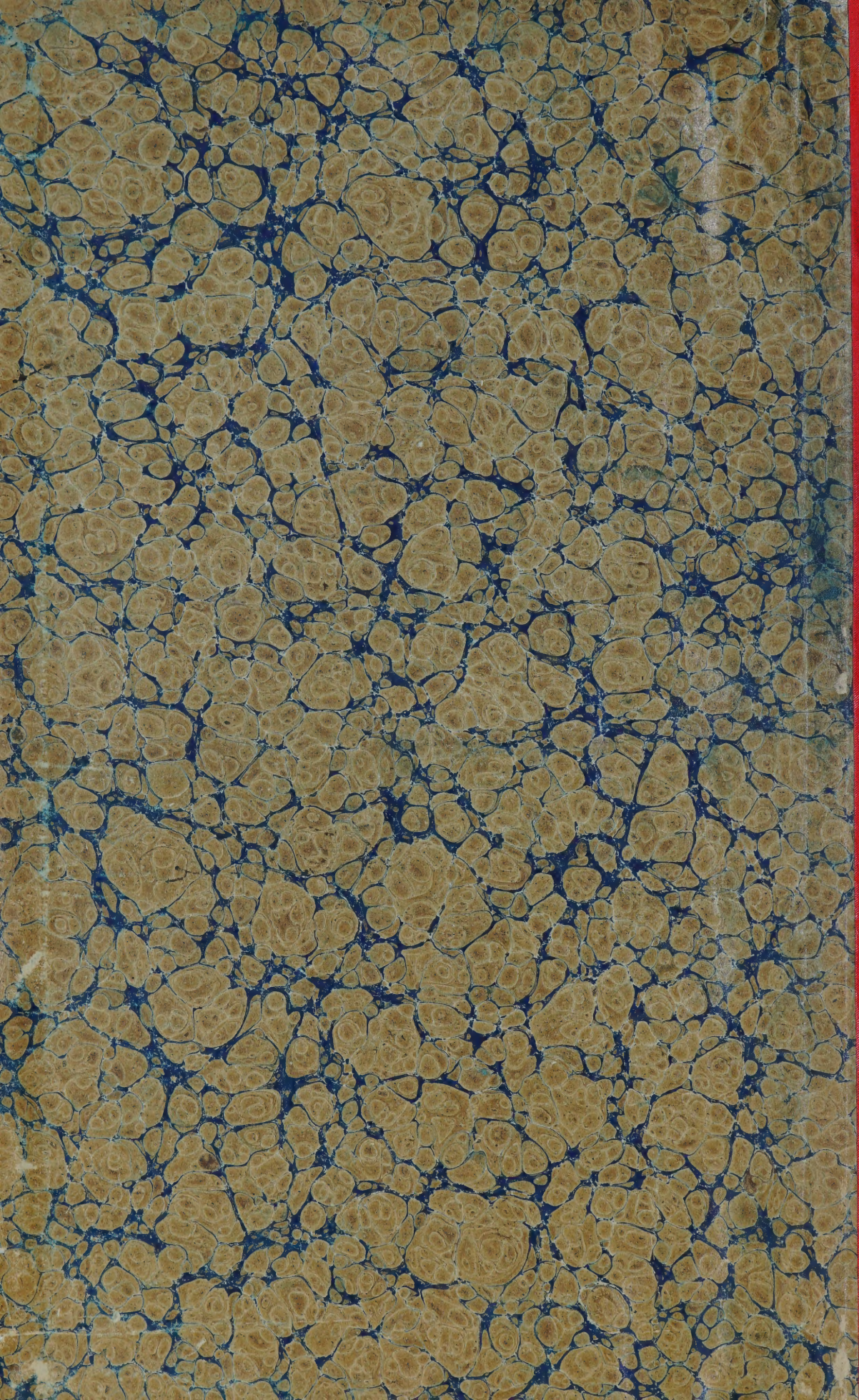
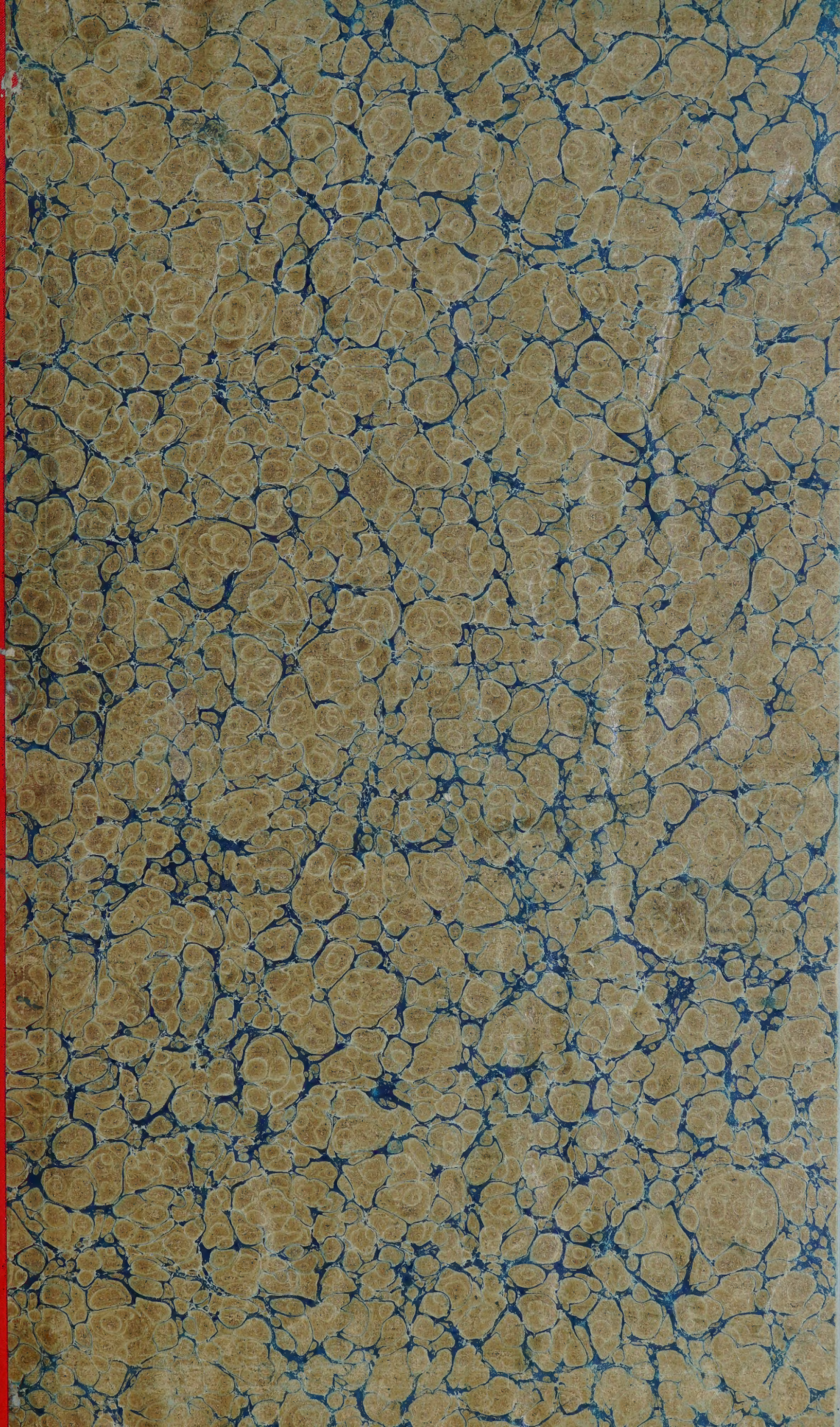








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844

872

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165

Ottawa 12th Jan^y 1886.

Enclosed with this find $\$14 \frac{50}{100}$ being
amount of taxes $\$16.08$ less 10%. I
trust you will receive this by the
20th but if you do not I presume
you will not be any particular for
a day or two.

Please return this bill
to the same place

Yours truly

J. H. Pearce

J. H. Pearce Esq.

Treasurer Municipality of Blanchard.

Oak River P.O.

Yours

1881 2 Jan 1881

Received with this fine \$14.00
 amount of taxes \$10.08 less 10%
 that you will receive this of the
 20% of you the rest of the
 you will not be any further for
 or less.
 Please return this to
 the office.

for the

W. H. Brown

W. H. Brown
 Treasurer of the
 City of New York
 D. O.

Ottawa, 12th January, 1886.

My dear Sir,

I have just had a discussion with the Rev. Père ~~acombe~~ dispute Larneau vs. Walter, and as I told you in August last at Calgary I have again gone carefully over all the evidence and can see no grounds for changing my report. All Walter gets is 155 acres and if he gives your corporation 2 acres leaving him only 153. Every letter is

cc. H. Leduc,

entitled

St. Albert,

Alberta.

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dit rasb. j. 18

It always is not the same

Yellow. or uncolored elliptic

The pul on edge with 2 red lines

must be prepared to test

Et les deux jumeaux sont

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principal de los militares

di rettore della

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Feb 1. 1892

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Shells

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entitled to 160 acres, if available. Both Garneau and McDonald receive 225 acres though not having improvements of nearly the value of Walter.

At the time I made my report you had just informed me, or at least I so understood, that you had retained out of the payment to Garneau sufficient to pay the Government at $\$1.00$ per acre all the excess in area of his lot above 160 acres. Walter has agreed to give you 2 acres at $\$1.00$ per acre surrounding the chapel, that is a piece 5 chains north and south and 4 chains east and

797

3.

and west, the northerly limit of said 2 acres to be 2 chains north of the northerly end of said chapel and the southerly limit 5 chains south of said northerly limit. It will be necessary to furnish a description of the said 2 acres, that is, the distance the south east angle of said 2 acres is from the south east angle of lot no 7 as surveyed by plane measuring along said line.

on payment into the hands of the Agent \$97⁰⁰ and furnishing said description patent will issue to your corporation.

J^r

.6

limit, further, it, thus, one
 and, it, at, less, & bid, to
 to, one, further, it, to, that
 further, it, one, less, bid
 bid, to, that, and, & limit
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4.

or 10 chains of land from off
 the portion of lot 7 granted
 Larnaud, 2 acres from off the
 portion of said lot 7 granted
 Walter, and patent will also
 issue to Larnaud for remain-
 der allotted him.

This \$97 is made up in
 this way

55 acres - 150 acres = 75 @ .20 per ac. = 75.

2 acres of Walter's lot - - - - 2.

Investment and Prerogative fees - 20.

Total. 97.

The Rev. Père Lacombe requests
 me to write you explaining
 fully the position and that
 you and Rev. Père Lestang
 will write him expressing

fully

757

5

fully your views and if this
meets with the same.

Wishing you and your
friends the compliments of the
season.

Believe me,

Very Truly Yours,

Wm. Peace
Supl.

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with the same
 and the same

and the same
 and the same
 and the same

and the same

and the same

and the same

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7

unofficial.

Ottawa, 12th January, 1885.

My dear Nanton,

Yours of the 7th January, 1885 just to hand, at least I found it here on my arrival today. For your information I enclose a memo from Ryley showing how this stands.

What I would suggest is that you write Mr. Burgess privately, recalling what he promised you, also write officially, asking for a decision in your application.

A. M. Nanton, Esq.,
Winnipeg,
Man.

2731, plant of P_{Si} , wood II

my dear friend
 please to be so kind
 to let me know at this
 moment if there is any
 possibility of my
 going to the
 office in the
 morning. I am
 very anxious to
 see you and to
 discuss the
 matter with you.
 Yours truly,
 J. H. P.

1. General
 2. Particular
 3. Conclusion

825

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et m. Tevab at . naituippp
 Nam bmo ti blet at jut lina
 nispā deditary p dlat lla
 The lll bmo jut bmo emi
 . m enipam ttab t tbat t
 pmp abmēni jelloradef et
 tbat m tbat ; pmitom atni
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 idit mmt wj emuduf
 suat tbat blou t t lla
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 dlatēni tbat et et at dlat
 . karpalub jutmā tbat p
 lttuf pmtjmo ab mo t p
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2.

application. No doubt Mr. He
will try to hold it and make
all sorts of promises to gain
time and buy and sell out,
at least I don't imagine Mr.
He personally intends going
into ranching; but on that
point I may be mistaken.
I presume you mean busi-
ness or I would not have
taken any interest in your
application; but I do heartily
desire to see the stock interests
of that country developed.
If I can do anything further
in

788

8.

in your interests I shall
try and do so.

Kind remembrances to
all.

Believe me,

Very truly yours,

W. H. R.

2.8

Work to develop new
at all times
developmental work

-ll-

very little used

W. H. H.

Copy.

168

799

Prince Albert 21 Decembre, 1885.

Mon cher Monsieur,

Tous m'avez demandé de
vous dire quels ont été selon
moi, les motifs et les causes de
la dernière insurrection des
Métis dans la Saskatchewan.
Tous m'avez demandé à ce
sujet une lettre confidentielle,
mais comme ces malheureux
événements sont du domaine
de l'histoire et que la vérité
n'a pas besoin de se voiler, je
n'ai aucune objection à ce
que vous fassiez tel usage
qu'il vous plaira de la pré-
sente, d'autant plus que

Monsieur - George Duch,

Exc. Agent des Terres,

Prince Albert.

les

Copy.

789

Paris le 11 Décembre, 1822.

Mon cher Monsieur,
 Vous m'avez demandé de
 vous dire quel est le
 vrai, le positif et le certain de
 la dernière invention des
 Indes dans la fabrication
 pour m'avez demandé si ce
 sujet n'est pas confidentiel,
 mais comme ce malheureux
 événement sort de l'histoire
 de l'histoire et que la vérité
 n'a pas besoin de se cacher, je
 n'ai aucune objection à ce
 que vous fassiez tel usage
 qu'il vous plaira de la
 vérité, et autant plus que
 les

Monsieur - George Duple,
 Ex. Agent des Indes,
 Paris le 11 Décembre.

la population nombre que se
font a ce sujet dans la presse
du pays tout de nature a
favorer le jugement et un grand
nombre.

Ce n'est pas précisément la
conduite du Gouvernement
Canadien à l'égard des
Héti de la Saskatchewan,
durant ces dernières années,
qui a causé ces troubles;
mais cette conduite en a été
l'élément de la proteste,
et ceux qui s'opposent à
former cet esprit d'indépendance
rationnelle dans le cas des Héti
Héti n'ont pas manqué de
leur répéter qu'ils avaient
des griefs suffisants pour se
lever.

les polémiques acerbes qui se font à ce sujet dans la presse du pays sont de nature à fausser le jugement d'un grand nombre.

Ce n'est pas précisément la conduite du Gouvernement Canadien à l'égard des Métis de la Saskatchewan, durant ces dernières années, qui a causé ces troubles; mais cette conduite en a certainement servi de prétexte, et ceuse qui n'ont cessé de fomenter cet esprit d'insubordination dans le cœur des pauvres Métis n'ont pas manqué de leur répéter qu'ils avaient des griefs suffisants pour se rebeller.

Il

Il faut remonter jusqu'en 1869 et 1870 pour trouver la véritable cause de la révolte de 1885.

Le refus, par le Gouvernement Canadien, d'accorder cette amnistie que les Métis ont toujours cru leur être due après leur avoir été promise, l'emprisonnement de Halet et de Lépine, la condamnation de ce dernier, la mise hors la loi de Louis Riel, le délai du Gouvernement à régler la question des terres des Métis dans le Manitoba, enfin le fanatisme d'un trop grand nombre d'habitants d'Ontario, avaient exaspéré les Métis de Manitoba et leur mécontentement s'était étendu

Il faut remarquer jusqu'en 1869
 et 1870 pour braver la destitue
 cause de la révolte de 1881.
 de refus, par le Gouvernement
 Canadien, d'accorder cette
 reconnaissance que les Indiens ont
 toujours eu leur être une opinion
 leur avoir été fournie, l'en-
 prisonnement de l'aut et de
 l'épave, la condamnation
 de ce dernier la mise hors
 la loi de deux Indiens, le
 délai du Gouvernement à
 régler la question des terres
 des Indiens dans le Manitoba
 enfin la formation d'une
 trop grande nombre d'habitants
 dans le Manitoba, avaient
 enorgie les Indiens de Manitoba
 et leur mécontentement était
 étendu

étendu au Nord-Ouest.
 Il me fait dans le Nord-Ouest
 et il avait l'occasion de
 voir beaucoup de petits
 mammifères et du Nord-Ouest;
 à une d'écarter et d'observer
 en une cette minute contre
 le Gouvernement Canadien.
 Il m'est arrivé souvent de voir
 de ces petits qui arrivaient
 en foule, et pour me dire
 que le temps venait où
 il faudrait se retirer;
 qu'il était temps de
 aller avec les sauteurs et
 les autres qui pouraient
 aller. Les deux que j'ai
 arrivés dans le Nord-Ouest
 ont peut-être que le fait
 d'être avec eux.

J'ai
 —

étendu au Nord-Ouest.

Riel une fois dans le Montana où il avait l'occasion de voir beaucoup de Métis du Manitoba et du Nord-Ouest; n'a cessé d'exciter et d'entretenir en eux cette inimitié contre le Gouvernement Canadien. Il m'est arrivé souvent de voir de ces Métis qui arrivaient des frontières, et tous me disaient que le temps viendrait où Riel prendrait sa revanche; qu'il était préparer ses plans avec les sauvages et les autres qui pourraient l'aider. Lors donc que Riel arriva dans la Saskatchewan on peut dire que le feu fut mis aux poudres.

J'ai

799

J'ai dit avant aujourd'hui,
et je le répète ici, que le Métis
avaient de justes sujets de
plainte contre le Gouvernement,
et ce point a été si bien établi
de l'accord de tous, qu'il m'est
inutile d'y revenir. Mes ces
griefs, n'étaient pas suffisants
pour les faire rebeller et de
fait, que je l'ai dit l'autot,
ils n'ont servi que de prétexte
à leur soulèvement. Pour
preuve de ceci je n'aurai qu'à
vous rappeler deux ou trois
circonstances d'après lesquelles
vous verrez que c'était, pour
ainsi dire, un parti pris pour
un grand nombre de Métis de
faire du train quand même.

Lorsque vous allâtes à

Batoche,

fait dit avant aujour'hui,
 et le le répète ici, que le
 mouvement de l'acte républicain
 plainte contre le Gouvernement,
 et ce point a été si bien établi
 de l'accord de tous, qu'il n'est
 inutile d'y revenir. Les
 griefs, n'étaient pas suffisants
 pour la faire révoquer et de
 fait, que le fait dit l'autorité,
 ils n'ont pas que de l'autorité
 à leur avantage. Pour
 prouver de ceci le contraire, que
 nous rappeller dans ces trois
 circonstances d'après lesquelles
 nous devons que c'est, pour
 ainsi dire, une partie pour nous.
 un grand nombre de l'acte de
 faire du bien grand même.
 l'acte pour être à

Mémoire

l'histoire, dans le livre de l'histoire
 1874, pour évaluer les relations
 l'histoire de l'histoire au sujet de
 leur livre, il fallait l'histoire
 l'importance de l'histoire pour
 la faire avancer, et encore
 un certain nombre d'années
 avec le gouvernement actuellement
 se présenter devant vous. Mais
 pour plus tard, lorsque le gou-
 vernement voudra faire à ce
 même endroit, beaucoup de
 l'histoire de l'histoire, qui concernent,
 que c'était le bon gouvernement
 avec de présenter leur griefs,
 l'importance de l'histoire en
 présence du représentant de
 leur l'histoire, qui était
 fait à la cour et qui se
 tenait, pour avoir lieu, à
leur

Matouche, dans le mois de Mai,
1884, pour écouter les réclama-
tions des Métis au sujet de
leurs terres, il fallut toute
l'influence du Père André pour
les faire avancer, et encore
un certain nombre d'entre
eux ne voulurent aucunement
se présenter devant vous. Un
peu plus tard, lorsque le Gon-
verneur Dewdney passa à ce
même endroit, beaucoup de
Métis de bonne foi crurent,
que c'était le bon moment pour
eux de présenter leurs griefs,
puisque'ils se trouvaient en
présence du Représentant de
leur Souveraine, qui était
prêt à les écouter et qui se
tenait, pour ainsi dire, à
leur

leur disposition. (Il avait
préalablement fait annoncer
son passage et une foule
immense était venue l'attendre,
Mais les meneurs ceux qui
furent partie plus tard des
conseils de Riel, dissuadèrent
le peuple de rien dire au
Gouverneur. Il faut vous dire
que Riel était alors en route
pour la Saskatchewan, et
lorsqu'il y fut arrivé vous
avez dû remarquer comme
moi que les griefs exprimés
Jusque là par les Métis
changèrent du tout au tout.
Ce n'était rien moins qu'une
révolution qu'on voulait,
car on mettait tout en
question. On contestait le
droit

leur disposition. Il avait
 généralement fait arriver
 son passage et une fois
 immensément était devenu l'attente.
 Mais les hommes ceux qui
 faisaient partie plus tard des
 conseils de l'Etat, disaient
 le peuple de leur dire au
 moment. Il faut donc dire
 que l'Etat était alors en route
 pour la Libération, et
 l'empire y fut ainsi pour
 avec les remarques comme
 pour que les gens expriment
 lorsque la par la l'Etat
 et augmentent de tout au tout.
 Ce n'était rien moins qu'une
 révolution qu'on voulait,
 car on voulait tout en
 position. On voulait la

d'ont le développement de l'industrie
 dans ce pays, on pourrait en
 avoir la supériorité et les
 profits pécuniaires en conséquence des
 échanges et des profits, enfin
 il était impossible, pour tout
 homme de bon sens qui
 voulait envisager la situa-
 tion, de prévoir autre chose
 qu'une catastrophe, et c'est
 ce qui est arrivé. Tout y
 menait d'ailleurs, la
 démographie, les destructions
 successives produites par l'épidémie,
 la destruction par lui de
 l'importance du rôle des
 la Russie.

Je crois avoir eu aussi
 assez dit, mais cher monsieur
 pour vous faire

que

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droit de souveraineté du Canada dans ce pays, ou mettait en avant la suprématie et les droits prétendus exclusifs des Sauvages et des Métis, enfin il était impossible, pour tout homme de bon sens qui voulait envisager la situation, de prévoir autre chose qu'une catastrophe, et c'est ce qui est arrivé. Tout y menait d'ailleurs, la démagogie, les doctrines perverses prêchées par Riel, la destruction par lui de l'influence du clergé sur les Métis.

Je crois vous en avoir assez dit, Mon cher Monsieur, pour vous prouver

que

que ce soulèvement des Métis
était préparé des longtemps,
et que, quoique le Gouverne-
ment ne soit pas tout à
fait sans reproche, on ne
peut pas, en toute Justice,
l'accuser d'en être l'auteur
immédiat. Je défie qui
que ce soit de contredire ces
avances et d'en arriver à
une conclusion autre que la
mienne.

J'ai l'honneur d'être
Cher Monsieur

Votre très-humble serviteur,
(Sd.) Lt. Schmidt.

que ce développement des Rites
était préparé des longtemps
et que, quoique le Gouvernement
neut ne soit pas tout à
fait sans reproche, on ne
peut pas, en toute justice,
l'accuser d'en être l'auteur
immédiat. Je dirai que
que ce soit de contradiction en
affaires et d'en arriver à
une conclusion autre que la
meilleure.

J'ai l'honneur d'être

Vos dévoué

Le très-humble serviteur,
J. L. L. L.

799

767
Prince Albert 31st Dec 1885

my dear Sir,

You have asked me to
tell you what were, in my opinion
the motives and causes of the
last insurrection of the Metis
in the Saskatchewan, you have
asked me for a confidential
letter on this subject, but as
these unfortunate events belong
to the domain of history and
that the truth need not veil
itself I have not the least ob-
jection to your making what-
soever use you may please of
this letter. The more so as the
sharp polemics on the subject

Mr George Deek,

Late Land Agent

Prince Albert.

me

Manuscript

1887

Prince Albert 21st Dec 1887

My dear Sir,

You have asked me to
 tell you what was in my opinion
 the motives and causes of the
 last intervention of the British
 in the Boer Republic, you have
 asked me for a confidential
 letter on this subject, but as
 these unfortunate events belong
 to the domain of history and
 that the truth need not tell
 itself I have not the least ob-
 jection to your making what
 you see your way please of
 this letter. The more so as the
 sharp polemics on the subject

Yours truly,
 Lord Salisbury
 Prince Albert

W

in the press of the country in
 a nature to falsify the
 statement of a great number.
 It is not precisely the contrary
 of the foundation of the
 report to the truth of the
 abolitionism, during these
 last years, that has caused
 these troubles, but this contrary.
 was certainly based on a
 study and that was not
 able to form that spirit of
 investigation in the heart
 of the poor man did not report
 to report to them that they had
 resources sufficient for their
 revolt.

We must go as far back as
 1809 and 1810 for the true cause
 of the revolt of 1885. The refusal
 of

in the press of the country are
of a nature to falsify the
judgment of a great number.

It is not precisely the conduct
of the Canadian Government
in regard to the Metis of the
Saskatchewan, during these
past years, that has caused
these troubles, but this conduct
has certainly served as a
excite and those who did not
cease to foment that spirit of
insubordination in the hearts
of the poor Metis did not neglect
to repeat to them that they had
grievances sufficient for their
revolt.

We must go as far back as
1869 and 1870 for the true cause
of the revolt of 1885. The refusal

of

of the Canadian Government to grant that amnesty which they always thought was their due, after its having been promised them, the imprisonment of Hault and Lepine, the condemnation of the latter, the outlawry of Reil, the delay of the Government to settle the land question of the Metis in Manitoba, and lastly the fanaticism of a too large number of the people of Ontario had exasperated the Metis of Manitoba and their discontent had spread to the North West.

Reil once in Montana, where he had opportunities of seeing many of the Metis of Manitoba and the North West did not

cease

of the Canadian Government to grant that amnesty which they always thought was their due, after its having been provided them, the imposition of such and such a condition of the latter, the withdrawal of Bill, the delay of the Government to settle the land question of the House in Manitoba, and finally the formation of a too large number of the people of Ontario had separated the basis of Manitoba and their desire that had spread to the North West. Bill over in Manitoba, where the last opposition of being wrong of the basis of Manitoba and the North West did not

cease to exist and under in
 them that unity appeared
 the foundation Government
 it after happened that I saw
 some of these things returning
 from the factories and they
 all told me that the time
 would come when this would
 take his revenge that he was
 preparing his plans with the
 Indians and others who
 might help him therefore at
 the time this arrived in
 the Saskatchewan one night
 say that five was set to powder
 I have said before to day and
 I repeat it here that the hills
 had first subject of complaint
 against the Government and
 this point has been so well

continued

cease to excite and imbue in them that enmity against the Canadian Government - it after happened that I saw some of these Metis returning from the frontier and they all told me that the time would come when Reil would take his revenge that he was preparing his plans with the Indians and others who might help him therefore at the time Reil arrived in the Saskatchewan we might say that fire was set to powder. I have said before to day and I repeat it here that the Metis had just subject of complaint against the Government and this point has been so well established

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established by the consent of all that it is useless for me to return to it. But these grievances were not sufficient to make them revolt and in effect as I said just now they but served as a pretext for their rising, for proof of this I will but have to recall to you two or three circumstances from which you will see that it was, so to speak, a determination of a great number of the Metis to make trouble notwithstanding. When you went to Balloche in May 1884 to listen to the claims of the Metis on the subject of their lands it needed all the influence of Father Andre to make them

established by the consent of
 all that it is useless for me
 to return to it. But these
 opinions were not sufficient
 to make them revolt and in
 effect as I said just now they
 but turned as a result for
 their rising for proof of this
 I will but have to recall to you
 two or three circumstances
 from which you will see that
 it was, as to speak, a determined
 action of a great number of the
 nobles to make trouble naturally
 standing. When you want to
 observe in May 1844 to listen
 to the claims of the nobles on
 the subject of their land it
 needed all the influence of
 Father Aubert to make them

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came forward and yet a certain
 number amongst them did
 not wish to present themselves
 before you at all, a little
 later when Governor Huntington
 passed through many of the
 cities of good faith believed
 that it was the right manner
 for them to represent their
 grievances as they found
 themselves in the presence of
 the representative of their
 sovereign who was ready to
 listen to them and was, as to
 speak holding himself at their
 disposition (the last the time of
 his arrival graciously announced
 and a large throng had
 come to receive him) but those
 who later took part in the
Council

come forward and yet a certain number amongst them did not wish to present themselves before you at all, a little later when Governor Dewdney passed through many of the chiefs of good faith believed that it was the right moment for them to represent their grievances as they found themselves in the presence of the representative of their sovereign who was ready to listen to them and was, so to speak holding himself at their disposition (He had the time of his arrival previously announced and a large throng had come to receive him) but those who later took part in the

Council

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799

3 uncle of Reil dissuaded the people from saying anything to the Governor.

I must tell you that Reil was then on his way to the Saskatchewan and after his arrival you must have noticed as I did, that the grievances expressed by the Metis up to that time changed altogether then it was nothing less than a revolution that was wanted and every question tended towards that issue, they contested the right of the sovereignty of Canada in this Country and they placed before all the supremacy and the pretended exclusive rights of the Indians and the Metis

I would of said dissatisfied the
people from coming anything
to the Governor.

I would tell you that I
was then on the way to the
Saskatchewan and after his
arrival for what time
as I said, that the
appeared by the hills up to the
time changed altogether than
it was nature was then a
revolution that was wanted
and every question settled
towards that issue, they
contested the right of the
right of Canada in this
country and they placed before
all the Supreme and the
presented various rights of
the Indians and the hills

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in that it was impossible
 for any man possessed of common
 sense who would face the
 situation to foresee anything
 but a catastrophe, and that
 is what happened, moreover
 everything tended that way
 through the general business
 conducted by Gil and the
 destruction by him of the
 influence of the clergy over
 the state.

I believe you bear this out.
 I have said enough to prove
 to you that this rising of
 the state was prepared and
 contemplated a long time
 since and although the govern-
 ment is not altogether without
 reproach we cannot in justice
accuse

in short it was impossible for any man possessed of common sense who would face the situation to foresee anything but a catastrophe, and that is what happened, moreover everything tended that way demagogu, the perverse doctrines preached by Riel and the destruction by him of the influence of the clergy over the metis.

I believe my dear Sir that I have said enough to prove to you that this rising of the metis was prepared and contemplated a long time since and although the Government is not altogether without reproach we cannot in justice accuse

799

excuse it of being the immediate
author of it.

I defy whomever to con-
tradict these assertions or to
come to a conclusion other
than mine.

I have the honor to be

Dear Sir

Your most humble servant

(sgd) L. Schmidt.

is more it of being the immediate

author of it.

I hope to answer to you

troubled these questions as to

come to a conclusion other

than mine

I have the honor to be

Dear Sir

Your most humble servant

(signed) J. D. Smith

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Ottawa, 13th January, 1886.

My dear Aldous

Yours of the 2nd
to hand, I find the latest
action on lot 28 St. Albert
was on 23rd July 1885. when
the file was sent Agent
at Edmonton to obtain
the evidence necessary to
dispose of the case, I have
this day written Agent
Edmonton requesting this
evidence

Mr. Aldous Esq.,
H.B. Co Land Dept
Winnipeg.

Ottawa 13th January 1884

My dear Sir

I have just received your letter of the 2nd inst. I find the latest action on 22nd Oct. 1883. I was on 22nd July 1883. I was sent report of Commissioner to Ottawa. The evidence necessary to the case of the case, I have this day written report. Commissioner requested this evidence.

Yours truly
A. B. C. Smith
Mr. C. B. Smith

008

evidence be obtained as soon
 as possible, I would suggest
 you write Mr. Hardisty also
 on this point, that he ob-
 tain the witnesses neces-
 sary, our bond agent there
 will take their evidence.

Yours truly,

Wm. H. H. H.

evidence be obtained as soon
as possible, I would suggest
you write Mr Hardisty also
on this point, that he ob-
tain the witnesses neces-
sary, our Land Agent there
will take their evidence.

yours truly.

W. H. H.

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801

Ottawa, 13th January 1886.

Dear Sir,

On or about the 23rd
of last July C.O. file 39535.
having reference to lot 23
St Albert claimed by the
H.B.C. was sent you request-
ing that the necessary
evidence be obtained.
The H.B.C. are asking for de-
cision. Would you therefore
request Mr Hardisty to bring
to

The Agent of
Dominion Lands
Edmonton.

767

Wetmore, 18th January 1922

Dear Sir,

I am so about the 23rd
 of last July C.O. file 22-2-22.
 having reference to lot 22
 St Albert claimed by the
 H.B.C. was sent your request.
 and that the necessary
 evidence be obtained.
 The H.B.C. are asking for 20.
 cisions. Would you therefore
 request Mr. Hardisty to bring
to

the agent of
 Dominion Lands
 Commission.

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to give the necessary assistance
with as little delay as
possible.

I have the honor to be
Sir

Yours obedient servant
H. L. L.

to you the necessary witnesses
with as little delay as
possible.

I have the honor to be
Sir
Your obedient servant
Wm Pearce

802

52089.

77° 32
13 January 6.

Sir,

I have the honour to
enclose herewith copies
of letters written this
day having reference
to Lot No 23 St-Albert, to be
attached to your file of
same.

I have the honor to be,

Sir,

your obedient-servant,

Wm. H. Smith
Suplt

H. H. Smith Esq.,
Commissioner of
Dominion Lands,
Winnipeg.

January 6.

82087

Sir,

I have the honor to
enclose herewith copies
of letters written this
day having reference
to 101-102 St. Albert, to be
attached to your file of
same.

I have the honor to be,

Sir,

your obedient servant,

John A. Smith
Sup.

Wm. A. Smith Esq.
Commissioner of
Immigration & Customs
Winnipeg.

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Not copying ink

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Files

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Ottawa, Jan'y. 1886.

Memorandum.

The same observations apply to each of the three files hereabove quoted.

The history of the case is this: - In the summer of 1849, in the month of July as stated by John Doran, he and his son G. B. Doran settled in Township 9, Range 19 West of the 1st P. M. They erected a house on what proved to be the SE $\frac{1}{4}$ of Sec 23.

Late in the following autumn Thomas B. Hyndman John Doran's son-in-law, and his son John G. Doran joined them, and they all resided together in the said house on 23 until the following year at least. They may have resided much longer; but they admitted residing there till the following spring.

Lm

Draft
App'd
 44751
 103035
 103041

Wm. J. Fox, 1880.

Memorandum.

The same observations apply to each of the three files mentioned.
The history of the case is this: - In the summer of 1877, in the month of July, a letter from John Brown, he and his wife, D. Brown, settled in the township of, Canada, West of the 1st P. M. They erected a house on what proved to be the 23rd of Dec 73.
Late in the following autumn Thomas D. Johnson, John Brown's son-in-law, and his son John P. Brown joined them, and they all resided together in the said house on 23 until the following year at least. They never have resided since together, but they continued residing there till the following spring.

Dr. J. W. Fox

File
44751
103032
103041

7.08

In June following J. B. Brown
 asked 25 years, which indicated
 when the township was
 opened for entry the water
 right made a difference
 in respect of these claims
 but has nothing here to show
 exactly what the then owner
 his water concerning the same
 being with township office
 but the land Brown
 settled John Brown, the father
 to have been of township
 the 1/2 of sec 14 and 15
 share the 3/4 of sec 12 and
 the 3/4 of 1/4 of sec 23.
 Brown and John J.
 Brown have been interested in
 sec 22.

What is now asked is
 that the latter two be allowed
 to pay \$100 interest of \$250
 for their present position and
 that the sale to John Brown
 of portions of 14 & 23 be
 made at \$100 interest of
 \$250 per acre as decided
 upon by the board.

The papers to be
 filed in

In June following G. B. Doran
aged 20 years, died intestate.

When this township was
opened for entry the under-
signed made a special
inspection of these claims,
but has nothing here to show
exactly what the then found,
his notes concerning the same
being in the Winnipeg office,
but the Land Board per-
mitted John Doran, the father,
to homestead & preempt
the N $\frac{1}{2}$ of Sec 14 and to pur-
chase the E $\frac{1}{2}$ of Sec 15 and
the E $\frac{1}{2}$ & NW $\frac{1}{4}$ of Sec 23.

Syndman and John G.
Doran homesteaded & preemp-
ted sec 22.

What is now asked is
that the latter two be allowed
to pay \$7.00 instead of \$2.50
for their preemptions and
that the sale to John Doran
of portions of 15 & 23 be
made at \$1.00 instead of
\$2.50 per acre as decided
upon by the Board.

The papers do

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of course what has been charged John Doran the father, for his preemption, but I think it will be found that he paid \$1⁰⁰ per acre; at least he makes no complaint about the price of his preemption.

The basis on which the preemptions have been charged for is the price ruling at the time date of bona fide settlement on the homestead had the land been surveyed and open for entry.

According to that rule J. G. Doran and T. B. Hyndman will be required to pay \$2⁵⁰ per acre as they did not commence residence on the land until the summer of 1880, probably even later, as the survey returns in the fall of 1880 shew no buildings on the sections.

If Doran were held liable to this he would be required to pay \$2⁵⁰ per acre for his preemption, but as he lived on the section adjoining with his son, since deceased, and as there was no provision wherein he could obtain an exemption by purchase of the land from his son, it was thought

at which time the price of
the bonds was \$100 per
\$1000 of face value. I think it was
found that the price of the
bonds was at least 10 percent
below the price of the
bonds at which the
price was \$100 per
\$1000 of face value.

The bonds on which the
price was \$100 per
\$1000 of face value have been
sold at the price of \$100 per
\$1000 of face value. I think it was
found that the price of the
bonds was at least 10 percent
below the price of the
bonds at which the
price was \$100 per
\$1000 of face value.

The bonds on which the
price was \$100 per
\$1000 of face value have been
sold at the price of \$100 per
\$1000 of face value. I think it was
found that the price of the
bonds was at least 10 percent
below the price of the
bonds at which the
price was \$100 per
\$1000 of face value.

The bonds on which the
price was \$100 per
\$1000 of face value have been
sold at the price of \$100 per
\$1000 of face value. I think it was
found that the price of the
bonds was at least 10 percent
below the price of the
bonds at which the
price was \$100 per
\$1000 of face value.

The bonds on which the
price was \$100 per
\$1000 of face value have been
sold at the price of \$100 per
\$1000 of face value. I think it was
found that the price of the
bonds was at least 10 percent
below the price of the
bonds at which the
price was \$100 per
\$1000 of face value.

The bonds on which the
price was \$100 per
\$1000 of face value have been
sold at the price of \$100 per
\$1000 of face value. I think it was
found that the price of the
bonds was at least 10 percent
below the price of the
bonds at which the
price was \$100 per
\$1000 of face value.

thought equitable to grant him
his presumption of \$100 per acre.
J. B. Brown commenced proceedings
there in the autumn of 1877
and died in the following

June. If he obtained entry for
the land and received thereon
for 12 months he would have
been entitled to purchase
to the extent of 320 acres at
\$1.00 per acre.

The land was then one of
one year. The land is of very
good quality, rendered valuable
by the location and construction
of the C. & P. R. a short distance
to the north, and at
the time this case was before
the land board would have
sold readily at \$10.00 per acre.
Perhaps very much more.
To say land of equal quality
and location is probably
worth \$2.00 or \$3.00, and it
was considered no hardship
when above J. B. Brown
to pay \$2.50 per acre.

It strikes me that
the most favorable view
of the question as regards
John Brown, that it was
more itself shown to the fact
that as far as J. B. Brown
his case, the interest he makes

thought equitable to grant him his preemption at \$12⁰⁰ per acre. G. B. Dorem commenced residence in the autumn of 1877 and died in the following June.

If he obtained entry for the land and resided thereon for 12 months he would have been entitled to purchase to the extent of 320 acres at \$1⁰⁰ per acre.

He did not live on it one year: the land is of very good quality rendered valuable by the location and construction of the C. P. R. R. a short distance to the north, and at the time this case was before the Land Board would have sold readily at \$10⁰⁰ per acre, perhaps very much more. Today land of equal quality and location is probably worth \$5⁰⁰ or \$6⁰⁰, and it was considered no hardship was done Mr. John Dorem to pay \$2⁵⁰ per acre. ~~per~~

It strikes me taking the most favorable view of the question as regards John Dorem, that it narrows itself down to the fact that as heir of G. B. Dorem and his son, the utmost he would

John should be the right
to purchase 160 acres at \$1⁰⁰
per acre, being G. B. Doran's
homestead. As to whatever
rights the latter may have
had in a preemption, they
have been extinguished, as
already stated, by granting
John Doran his own preemption
at \$1⁰⁰ per acre where they
once should legally have
been \$2⁵⁰ per acre.

I have been thinking of the rights
 of women at 1/2
 of course, being D. P. Brown's
 interest. As to whatever
 rights the latter may have
 lost in a bankruptcy, they
 have been extinguished, and
 already stated, by granting
 D. P. Brown his own property
 1/2
 per cent. when they
 were should legally have
 been 1/2 per cent.

77
15th January 6.Memorandum.

Detach from this file Walker's application for N. patent and send Agent stating such application must describe particularly the land intended to be patented. It is not the S. 1/2 of Sec. 12-21-1 W. 5th but L. S. 6, 7 and 8, and the N. 1/2 of N. 1/2 of L. S. 1, 2 & 3. In this and all cases direct the attention of Agent to requisite care & otherwise grave mistakes in patents may ensue.

It will be necessary for
R. A. Purser Walker

Dominion Office,
Winnipeg

X should
be 24

12 January 1871

Memorandum.

Detail from this file Walter's
 application for D. Patent
 and was spent stating that
 application must describe
 particularly the land intended
 to be patented. It is not
 the 1/2 of Sec. 12 - 21 - 1 R.
 but 1/2 of Sec. 6, 7 and 8,
 and the 1/2 of Sec. 1, 2 & 3.
 In this and all cases which
 the attention of agent is required
 care & thoroughness are insisted
 in patenting every case.
 It will be necessary for
Walter

R. A. Walker
 Commissioner
 of Patents

802

With the purchase money
 by him forwarded to A. D.
 enclosed to Agent to be
 shown not to them but
 still attached to file. It
 is 1882 C. D. 44 894 is
 to purchase dated October
 that Walter's application
 you will also notice
 Walter's application

804

Walker to make new Application.

You will also notice that Walker's application to purchase dated October 6th 1885 C. O. 44 894 is still attached to file. It should not be there but enclosed to Agent to be by him forwarded to H. O. with the purchase money.

77³
January 6.

69266.

Sir,

In reference to your letter of the 26th ultimo, asking for copies of letter from Land Board to myself, concerning investigation into claims by Half-Breeds on the South Saskatchewan also copy of instructions from Land Board to George Duck and his report on the same.

As to the 1st letter there is none such in existence. As you are aware when at Prince Albert early in 1884, I represented to you that from the experience Mr Duck and his assistant

had

Mr. Burgess, Esq.,

Deputy of the

Minister of the Interior.

09266

201

The reference to your letter
 of the 24th inst. in asking for
 copies of letter from the
 Board to myself concerning
 investigation into claims
 of half-breds on the South
 Saskatchewan also copy
 of investigation from the
 Board to George Bush and
 his report on the same.
 As to the letter there
 is some work in connection
 as you are aware in the
 at the time of the survey in
 1884. I refer you to our
 that from the experience
 of Bush and his assistant

Yours
 J. H. ...

J. H. ...

Deputy of the

Minister of the Interior

had had with me during
 of weeks immediately
 claims among the English
 speaking half-breeds he
 would have no difficulty
 with the French persons
 and, in addition, all
 the evidence he presented.
 in these cases, that the
 evidence could then be
 met the French General who
 would receive a good
 make a recommendation
 in each one. My reasons
 for making these suggestions
 were the following. In
 the place of the latter
 French or one the latter
 language is understood
 by all the French half-
 breeds, quite a large per-
 centage do not understand
 the English language.

French

had had with me during
 six weeks investigating
 claims among the English
 speaking Half-Breeds he
 would have no difficulty
 with the blank forms
 used, in obtaining all
 the evidence required.
 In those cases, that this
 evidence could then be
 sent the Land Board who
 would examine and
 make a recommendation
 in each one. My reasons
 for making those suggestions
 were the following. In
 the 1st place I spoke neither
 French or Cree the latter
 language is understood
 by all the French Half-
 Breeds, quite a large per-
 centage do not understand
 or speak French.

from

from his long experience in the Hudson Bay Company's service, understands both, speaks french fairly and to a very considerable fluency ere.

My suggestion was approved and a telegram to that effect was received by me before I left Prince Albert early in March 1884 hence I instructed Mr. Buch verbally as to what was to be done, and to make certain that there should be no further delay and that these people would understand fully the object of his visit suggested if possible he should secure the services of the Rev Bro Andre to accompany him.

from his long experience
in the Hudson Bay Com-
pany's service, understands
both, speaks French fairly
and to a very considerable
fluency.

My suggestion was ap-
proved and a telegram
to that effect was received
by me before I left London.
Without delay my French was
improved & corrected by
those verbally as to what
was to be done, and to
make certain that there
should be no further
delay and that these
people would understand
fully the object of his visit
suggested if possible be
should secure the ex-
press of the two fine boxes
to be forwarded.

He did secure the services of
 the said Pere. My reason
 for suggesting this course
 was, I thought there were,
 or had been certain in-
 fluences at work to pre-
 vent these people making
 entries, as I found in
 the vicinity of Duck Lake
 where there was no request
 for river lots that a very
 small per-centage of these
 people had applied for
 entry. though entry could
 have been given since
 August-1881. The result
 showed the necessity of
 the Rev Pere's influence,
 as, even with it, about
 10% of the claimants,
 though visited by McEach
 at their houses, refused
 to make any application,
and

6:

and just here it might be mentioned that the agitators cited this investigation by Mr. Duck on the ground, as an instance of the beneficial effect of their refusing to go to Prince Albert and make entry, stating the Government had now come to them, and if they only continued to pursue their course, the Government would give them all they demanded. First, as to the River lot-survey of St. Laurent on Arrow's Indian Reserve across a portion of this settlement, came within less than two miles of the River and the settlers insisted on having ~~at least~~ ^{at least} 2 miles in depth.

H.

and just here it might be
 mentioned that the capital
 has cited this investigation
 by the House on the ground
 as an instance of the
 successful effort of their
 refusing to go to France
 which could make any
 stating the Government
 had been come to them
 and if they only continue
 to pursue their course
 the Government would
 give them all they demand
 ed. First, as to the River
 let survey of St. Lawrence
 in British Indian Affairs
 across a portion of this
 settlement, come within
 less than two miles of the
 River and the settlers
 resisted on having their
 miles in length.

It might have been mentioned
 that none of our territorial
 maps show social features
 correctly, this was a
 matter that could only
 be arranged by the consent
 of these politicians and was
 so arranged about 1884
 but 1884 & 1885
 we look to take the
 same and before it could
 be carried out probably
 this politician has
 matter would be arranged
 if not, decisions would
 be made to, and only given
 to all outside of social features
 leaving to the future to
 arrange the remainder.
 That outside of the
 social settlement survey
 being where these people
 had settled independent

It might here be mentioned that none of our Territorial maps show said Reserve correctly; This was a matter that could only be arranged by the consent of these Indians and was so arranged about September 1884. I instructed Mr. Buck to take the evidence and before it could be carried out probably this Indian Reserve matter would be arranged, if not, decisions would be come to, and entry given to all outside of said Reserve leaving to the future to arrange the remainder.

That outside of the said Settlement survey being where these people had settled subsequent

to

to the survey thereof into $\frac{1}{4}$ sections where entry could be granted by $\frac{1}{4}$ sections to do so, several, among others, Alex. Fisher, Gabriel Dumont, and his brother cousin and Uncle, Garripy four or five of the Tauronds Parenteau and others had already effected entry according to $\frac{1}{4}$ Sections but where entry could not be granted, thus, to exercise great care in finding on what legal subdivisions of the Sections were, the improvements and what they claimed. To take full evidence as to their claim that entry would, when there was no conflicting claims, no doubt be granted by such

Legal

to the Survey the only case
 1/2 sections where only
 could be granted by the
 sections to do so, several
 among others, Mr. Fisher,
 Richard Mummont, and
 his brother were and
 made, perhaps four or five
 of the townships mentioned
 and others had already
 effected entry according
 to 1/2 sections but where
 entry could not be granted
 there, to exercise great care
 in finalizing on what had
 subdivisions of the sections
 were, the improvements
 and what they claimed
 to take full evidence as
 to their claim that entry
 would, where there was
 no conflicting claim, no
 doubt be granted by such
land

The first subdivision, that
 particularly prominent
 stream cut out the cleared
 surface of the valley and
 appears that would be
 increased by making a
 survey into river bed.
 There, owing to lands in
 river, as these claims
 were always taken up
 and intended to run
 back at right angles
 to river front ^{the} would
 in some cases overlap
 each other, in others
 leave great gaps between
 out to attempt to straighten
 them, and possibly
 might be up clearing the
 summer canal by a bridge
 back survey would be
 canal capital - then if
 should not be able to

legal subdivisions, thus
 practically granting
 them what they desired,
 without the delay and
 expense that would be
 incurred by making a
 re-survey into River lots.
 Where, owing to bends in
 river, as these claims
 were always taken up
 and intended to run
 back at right angles
 to River front, ^{there} would
 in some cases overlap
 each other, in others
 leave great gores between.
 not to attempt to straighten
 them, and possibly I
 might be up during the
 summer and by a rough
 track survey would try
 and adjust them, if I
 should not be able personally
 to

9.

to do this I should recommend, after the rest were straightened out, a surveyor be sent with him to do said track survey.

As it turned out the only place where there was any conflict caused by bend in river, is on sections 1, 2, 11 and 12. Township N5. 11 & 3. You will notice at that point the River changes from nearly a north course to about a due east course and this point is now being settled, or at least the necessary surveys done to enable it to be settled intelligently.

Mr. Luck purposed starting his investigation forthwith

to do this I should have
 moved after the first
 were disappointed and
 a surveyor he sent with
 him to do said work
 survey.

As it turned out
 the only place where
 there was any prospect
 caused by local conditions
 is on sections 1, 2, 11 and 12.
 Township No. 14 S. 3 E.
 will notice at that point
 the river changes from
 nearly a north course to
 about a due east course
 and the point is now
 being settled, or at least
 the necessary surveys
 done to enable it to be
 settled intelligently.
 Mr. Buck purchased
 a large tract of land
 situated

for the first time and had the
 same as his relations
 and report would have
 reached him in time, before
 I left for Baltimore and
 would have been passed
 upon at once; but the
 New York Council wished
 as much requested him
 to accompany him, it
 to be deferred till after
 later, which was done.
 Such took applications
 of all claimants' schedules
 filed under the same
 classification as those
 at Prince Albert, and are
 now on file in local office.
 No special report occurs.
 I have them, a few words
 as observation or report
 for each case appears in
the

forthwith and had he
 done so, his returns
 and report would have
 reached Winnipeg, before
 I left for Battleford
 and Edmonton and
 would have been passed
 upon at once; but the
 Rev Pere André wished,
 as Duch requested him
 to accompany him, it
 to be deferred till after
 Easter, which was done.
 Duch took applications
 of 99 claimants schedu-
 lised under the same
 classification as those
 at Prince Albert, and are
 now on file in Head Office.
 No special report accom-
 panied them, a few words
 as observation or report
 on each case appears in
the

the Schedules.

These reached the Commissioner's office about 1st July after I had started for Edmonton, and were retained there pending my return to Winnipeg which did not take place till late in Autumn when they were examined into, and a recommendation in every case made by the Land Board. They were so retained as I was the only member of said Board who had been over the ground affected.

They were then forwarded to Ottawa, reached here just at the close of Departmental year, they were put through the books

here

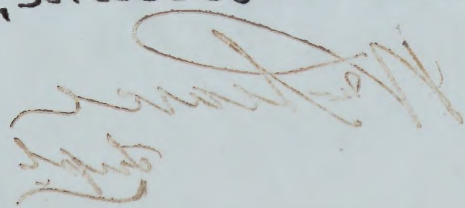
the schedules.

These reached the

Commissioner's office
about 1st July after I had
started for Birmingham
and were retained there
pending my return to
Birmingham which did not
take place till late in
September when they were
forwarded into, and a
recommendation in
every case made by the
Local Board. They were
so retained as I was the
only member of such
Board who had been over
the ground affected.
They were then forwarded
to the Board, reached here
just at the close of the year.
Several years they were
put through the books

here

here. On the 4th February
 the Commissioner received
 notification to visit
 Prince Albert Agent to
 carry the recommendations
 of the General Board
 into effect, and the Agent
 between the 22nd of February
 and 7th March 1888 visit-
 ed every one of the 22
 applicants to come forward
 and enter would be
 granted as requested.
 Up to the 18th of last Decem-
 ber only one has complied
 with that request.
 Trusting this report is
 sufficiently full to answer
 your purpose.
 I have the honor to be,
 Sir,
 your obedient servant,


 W. H. Murray

here. On the 4th February the Commissioner received notification to instruct Prince Albert Agent to carry the recommendations of the Land Board into effect, and the Agent between the 26th of February and 7th March 1886 notified every one of the 99 applicants to come forward and entry would be granted as requested.

Up to the 15th of last December only one has complied with that request.

Trusting this report is sufficiently full to answer your purpose.

I have the honor to be,

Sr.,

Your obedient servant,

W. H. Francis
Suplt.

2.6

774
15th January 6.

69266

Sir,

In reference to your letter of the 26th ultimo, asking for copies of letter from Land Board to myself concerning investigation into claims by Half-Breeds on the South Saskatchewan also copy of instructions from Land Board to George Duck, and his report on the same.

As to the 1st letter there is none such in existence. As you are aware when at Prince Albert early in 1884, I represented to you that from the experience Mr Duck and his assistant

W. M. Burgess Esq.
Deputy of the
Minister of the Interior,
Ottawa.

had

18 January 6

1822

Sir,

In reference to your
 letter of the 21st ultimo, and
 in reply for copies of letter from
 Daniel Bland to myself con-
 cerning investigation into
 claims by itself. Bland on the
 South Saskatchewan also
 copy of instructions from
 Daniel Bland to George Buck
 and his report on the same
 As to the 1st letter there
 is some work in existence.
 As you are aware when
 at Prince Albert early in
 1884, I represented to you
 that from the experience
 Mr Buck and his assistant
 had

Wm. L. Bland Esq.
 Deputy of the
 Minister of the Interior

had had with me during
 his weeks investigating
 claims among the English
 speaking half breeds he
 would have no difficulty
 with the blank forms used,
 in obtaining all the evidence
 required in those cases,
 that this evidence could
 then be sent the same
 Board into a world exam-
 ine and make a recommen-
 dation in each case. My re-
 sult for making those sug-
 gestions are the following:-
 In the 1st place I spoke with
 French was one the latter
 language is understood
 by all the French half-
 breeds quite a large per-
 centage do not understand
 or speak French. Mr. Buck
 from his long experience

in

had had with me during
 six weeks investigating
 claims among the English
 speaking Half Breeds. He
 would have no difficulty,
 with the blank forms used,
 in obtaining all the evidence
 required in those cases,
 that this evidence could
 then be sent the Land
 Board who would exam-
 ine and make a recommenda-
 tion in each one. My rea-
 sons for making those sug-
 gestions are the following:-
 In the 1st place I spoke neither
 French nor Cree the latter
 language is understood
 by all the French Half-
 Breeds, quite a large per-
 centage do not understand
 or speak French. Mr Duck
 from his long experience
in

in the Hudson Bay Company's Service understands both, speaks French fairly and to a very considerable fluency.

My suggestion was approved and a telegram to that effect was received by me before I left Prince Albert early in March 1884, hence I instructed Mr. Duck verbally as to what was to be done and to make certain that there should be no further delay and that these people would understand fully the object of his visit suggested if possible he should secure the services of the Rev. Père Andre to accompany him.

He did secure the services of the said Père. My reason for suggesting this course

was

was

for suggesting this course.

of the said Fair. My reason

the said because the services

order to accompany him.

services of the Fair Fair

side he should secure the

his visit suggested if for.

should fully the object of

these people would make

further delay and that

that there should be no

have and to make certain

only as to what was to be

limited to the Mr. Buck and

early in March 1884, from

before I left Prince Albert

effect was received by me

and a telegram to that

My suggestion was upon

January 1884.

and to a very considerable

both, speaks fairly

my service notwithstanding

in the Hudson Bay Company.

was I thought there were
 or had been certain in-
 fluences at work to prevent
 these people working on
 their own ground in the vi-
 cinity of Buck Lake before
 there were no requests for
 river lots that a very small
 percentage of these people
 had applied for entry though
 entry could have been given
 as since August 1881. The
 result showed the necessity
 of the river lines influence,
 as seen with it about 15
 % of the claimants though
 visited by Mr. Buck at
 their houses refused to
 make any application,
 and just here it might
 be mentioned that the agi-
 tators cited this investiga-
 tion by Mr. Buck as the
 ground, as an instance
 of

was I thought there were
 or had been certain in-
 fluences at work to prevent
 these people making en-
 tries as I found in the vi-
 cinity of Duck Lake where
 there was no requests for
 river lots that a very small
 percentage of these people
 had applied for entry, though
 entry could have been given
 since August 1884. The
 result showed the necessity
 of the Rev. Pires influence,
 as even with it about 15
 % of the claimants though
 visited by Mr Duck at
 their houses refused to
 make any application,
 and just here it might
 be mentioned that the agi-
 tators cited this investiga-
 tion by Mr Duck on the
 ground as an instance

of

of the beneficial effort of their refusing to go to Prince Albert and make entry, stating the Government had now come to them, and if they only continued to pursue their course the Government would give them all they demanded.

First as to the River lot survey of St. Laurent on Arrow's Indian Reserve across a portion of this settlement came within less than two miles of the River and the settlers insisted on having lots 2 miles in depth.

(It might here be mentioned that none of our Territorial maps shew said Reserve correctly.) This was a matter that could only be arranged by the consent
of

of the beneficent effort of their
refusing to go to Prince Albert
and make entry, stating
the Government had no
come to them, and if they
only continued to pursue
their course the Government
would give them all they
demanded.

First as to the River lot
survey of St. Laurent in
Creston Indian Reserve
across a portion of this
settlement came within
less than two miles of the
River and the settlers in-
sisted on having lots 2
miles in depth.

(It might here be mention-
ed that none of our tradi-
tional maps show such
Reserve correctly, this was
a matter that could only
be ascertained by the content
of

of these positions and was
 so concerned about the
 year 1884. I instructed Mr.
 Buck to take the evidence
 and before it could be
 carried out probably this
 position because matter
 would be concerned, if
 not, decisions would be
 come to, and entry given
 to all outside of local reserves
 leaving to the future to be
 range the remainder.
 That outside of the local
 settlement survey being
 where these people had
 settled subsequent to the
 survey thereof into the section
 where entry could be given
 as by the section to do so
 several among others.
 Mr. Fisher, Gabriel Dumont
 and his brother, cousin,
 and the survey for

86
of these Indians and was
so arranged about September 1884. I instructed Mr
Duck to take the evidence
and before it could be
carried out probably this
Indian Reserve matter
would be arranged, if
not, decisions would be
come to, and entry given
to all outside of said Reserve
leaving to the future to ar-
range the remainder.

That outside of the said
Settlement Survey being
where these people had
settled subsequent to the
survey thereof into $\frac{1}{4}$ sections
where entry could be grant-
ed by $\frac{1}{4}$ sections to do so
several among others.

Alex. Fisher, Gabriel Dumont,
and his brother, cousin,
and Uncle Garripy four

on five of the Tauronds. Re-
rentau and others had
already effected entry ac-
cording to $\frac{1}{4}$ section but
when entry could not be
granted, thus to exercise
great care in finding on
what legal subdivisions
of the sections were the im-
provements and what
they claimed. To take full
evidence as to their claim
that entry would, when
there was no conflicting
claims, no doubt be grant-
ed by such legal subdivi-
sions, thus practically
granting them what they
desired, without the delay
and expense that would
be incurred by making a
re-survey into River lots;
where owing to bends in
river, as these claims were
always

or fine of the Townships. It is
 not necessary that others should
 be necessarily affected by the
 coming to the section, but
 when entry could not be
 granted, thus to receive
 great care in finding or
 without legal subdivisions
 of the sections were the in-
 provisions and what
 they claimed. To take free
 evidence as to their claim
 that entry would, when
 there was no conflicting
 claims, no doubt be granted
 to such legal subdivi-
 sions, thus practically
 granting them what they
 desired, without the delay
 and expense that would
 be incurred by making a
 re-survey into their lots;
 where owing to lands in
 river, or their claims were
 always

The will notice at that point
 1.2.11 and 12.7.45-1W3. The
 bend in river, is on section
 any conflict caused by
 by place where there was
 as it turned out the m-
 the said track survey.
 say or be sent with him to
 were straightened out, a m-
 recommended after the rest
 ally to do this. I should
 should not be a problem-
 and adjust them, if I
 track survey would try
 summer and by a rough
 night he up during the
 in them, and possibly I
 not to attempt to straight-
 leave great gaps between
 overlap each other, in other
 they would in some cases
 right angles to river front,
 turned to run back out
 always taken up and in-

always taken up and intended to run back at right angles to River front, they would in some cases overlap each other, in others leave great gores between, not to attempt to straighten them, and possibly I might be up during the summer and by a rough track survey would try and adjust them, if I should not be able personally to do this. I should recommend after the rest were straightened out, a Surveyor be sent with him to do said track survey.

As it turned out the only place where there was any conflict caused by bend in river, is on Sections 1, 2, 11 and 12. Tp. 45-1W3. You will notice at that point
The

The River changes from nearly a north course to about a due East course and this point is now being settled, or at least the necessary surveys done to enable it to be settled intelligently.

Mr. Duck purposed starting his investigation forth with and had he done so his returns and report would have reached Winnipeg before I left for Battleford and Edmonton and would have been passed upon at once; but the Rev. Père André wished as Duck requested him to accompany him, it to be deferred till after Easter, which was done. Duck took application of 99 claimants, scheduled under the same classification.

Ans.

The River changes from west-
 by a north course to about
 a due east course and
 this point is now being
 settled, or at least the re-
 cessary surveys have to
 enable it to be settled in-
 telligently.

Mr. Buck proposed that
 in his investigation for
 with and that he have to
 his return and report
 would have reached this
 night before I left for Baltimore
 and Baltimore and would
 have been passed upon
 at once; but the River
 could not wait as these
 repeated runs to secure
 being true, it to be deferred
 till after Easter, which was
 done. These late applications
 of pp claimants, however,
 under the same classification.

as those at Prince Albert
 and are now on file in
 Special Office, no special re-
 port accompanied them, a
 few words on observation
 or report on each case up-
 pears in the Schedule.
 These reached the Com-
 missioner's Office about the
 1st of July after I had started
 for Edmonton, and were
 retained there pending
 my return to Winnipeg.
 which did not take place
 till late in autumn when
 they were examined into,
 and a recommendation
 in every case made by the
 Local Board. They were
 so retained as I was the
 only member of Local Board
 who had been over the ground
 affected. They were then
 forwarded to Ottawa, where
 they

as those at Prince Albert and are now on file in Head Office, no special report accompanied them, a few words as observation or report on each case appears in the Schedules.

These reached the Commissioner's Office about 1st July after I had started for Edmonton, and were retained there pending my return to Winnipeg which did not take place till late in autumn when they were examined into, and a recommendation in every case made by the Land Board. They were so retained as I was the only member of said Board who had been over the ground affected. They were then forwarded to Ottawa, reached
here

here just at close of Departmental year, they were put through the books here on the 4th February, the Commissioner received notification to instruct Prince Albert Agent to carry the recommendations of the Land Board into effect and the Agent between the 26th of February and 7th March 1885, notified every one of the 99 applicants to come forward and entry would be granted as requested, up to the 15th of last December, only one has complied with that request.

Trusting this report is sufficiently full to answer your purpose.

I have the honor to be
Sir,

Your obedient servant

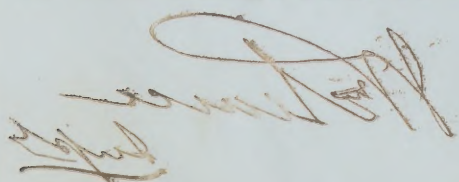
J. H. Prince
Sup^t

have first at least of report
 mention that they were sent
 through the books here on the
 4th February, the Commission
 received notification to in-
 struct Prince Albert Agent
 to carry the recommendations
 of the General Board into effect
 and the Agent between the
 21st of February and 7th
 March 1885, notified every
 one of the 9 applicants to an
 former and every would
 be applicant as required up
 to the 15th of last December, and
 we have complied with that
 request.

Trusting this report is
 sufficiently full to ensure
 your purpose.

I have the honor to be
 Sir

Your obedient servant



775

Memorandum.

Please have copy of this made
and send Commissioner's Office.

It has been agreed between
Commissioner and Brinkwater
all these cases are to be decided
by the Land Board and the
Land Commissioner of Canadian
Pacific Railway.

In enclosing it to Commis-
sioner's Office you might state
that I have suggested in this
and all cases of this nature it
would be advisable to furnish
Land Commissioner McTavish
a copy of the evidence and ask
him if he objects to granting
entry as requested by the

John R. Hall, Esq.

Applicant

Secretary,

Dept. of the Interior.

submariner

about 100 ft. deep and about
 100 ft. deep and about 100 ft.
 deep and about 100 ft. deep
 and about 100 ft. deep and
 about 100 ft. deep and about
 100 ft. deep and about 100 ft.

about 100 ft. deep and about
 100 ft. deep and about 100 ft.
 deep and about 100 ft. deep
 and about 100 ft. deep and
 about 100 ft. deep and about
 100 ft. deep and about 100 ft.

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applicant, state grounds of his objection in writing and if he desires to furnish evidence to disprove any statement contained in the affidavit of the applicant it must be in the form of statutory declarations of reliable parties, and be filed within 30 days of date of notice to him.

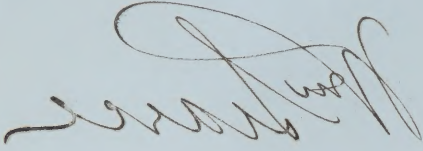
Also for Commissioner's office to notify each applicant what is being done and also Agent of Dominion Lands for the District.

That will enable the applicant if he so desires to furnish any further evidence he may wish within said 30 days and the Land Agent can also

also inform him if he applies
at Office what steps are being
taken.

Wm. L. Lacey

alle in form time if the office
 at office under steps are been
 method



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Ottawa, 18th January, 1886.unofficial.

My dear Longheed,
Your letter of the 8th instant
to hand re grazing lease
substitution, and I am looking
after the matter and will
do all I can legitimately to
accede to your request, or
at least do as well for you
as can be.

I have no doubt I did
promise Mr. Durn, Esq., to
J. A. Longheed, Esq., aid
Barrister &c.,
Calgary,
Alberta.

Winnipeg, 18th January, 1886.

Official

My dear Sir,
 Your letter of the 8th instant
 to hand is regarding the
 substitution, and I am looking
 after the matter and will
 do all I can legitimately to
 accede to your request, or
 at least do as well for you
 as can be.

I have no doubt I did
 promise Mr. Brown, Esq., to

and

J. A. Longstreet, Esq.,
 Minister of
 (Clergy,
 Alberta.

and have not in my hands
 to obtain a lease of land
 which I have heard of
 since he is past the point
 of reaching the country
 required to develop it
 appearing however not to
 believe that in this case
 any other matter is
 going to be done
 and it is
 very likely in his interest that
 he should be done.

Yours very truly,
 J. H. [Signature]

not have been in my power
 to obtain a leave as from
 what I have heard of
 him he is just the man
 of character the country
 requires to develop its
 growing resources and please
 tell him that in this and
 any other matter in which I
 can be of assistance I shall
 be very glad to do so.
 As for Harriet it is not
 necessary for me to state that
 every thing in his interest that
 I can do will be done.

Yours very truly,

Wm Lloyd Garrison

aid him all in my power
 to obtain a lease as from
 what I have heard of
 him he is just the class
 of rancher. The country
 requires to develop its
 grazing resources and please
 tell him that in this and
 any other matter in which I
 can be of assistance to him I
 shall be only too glad to do so.

As for Hardisty it is not
 necessary for me to state that
 everything in his interest that
 I can do will be done.

Yours very truly,

Wm. Lawrence

Memo.

Please have copy of this made and send Commissioner's office.

It has been agreed between Commissioner and Drinkwater all these cases are to be decided by the Land Board and the Land Commissioner of C. P. Ry.

In enclosing it to C. O. you might state that I have suggested in this and all cases of this nature it would be advisable to furnish Land Commissioner McEavish a copy of the evidence and ask him if he objects to granting entry as requested by the applicant. State grounds of his objection in writing and if he desires to furnish evidence to disprove

J. R. Hall Esq.
Secy. Dept. Interior.

and

Memorandum.

Please have copy of this made and send Commissioner's office. It has been agreed between Commissioner and Auditor that all these cases are to be decided by the Land Board and the Land Commissioner of D. O. By including it to D. O. you might state that I have not participated in this and all cases of this nature it would be advisable to furnish Land Commissioner with a copy of the evidence and ask him if he objects to granting entry as requested by the applicant. State grounds of his objection in writing and if he desires to furnish evidence to dispute

J. B. Hall, Secy.
Land Dept. Bureau.

and

any statement contained in
 the affidavits of the applicant
 it must be in the form of that
 which is required of reliable
 parties and be filed within
 30 days of date of notice to him.
 Also for D.O. office to notify
 each applicant what is being
 done and also report of how
 much funds for the district
 that will enable the ap-
 plicant if he so desires to fur-
 nish any further evidence he
 may wish within said 30 days
 and the Court report can also
 inform him if he applies at
 office what steps are being
 taken.

W. H.

10/20/1

any statement contained in the affidavits of the applicants it must be in the form of statutory declarations of reliable parties and be filed within 30 days of date of notice to him.

Also for L. O. office to notify each applicant what is being done and also Agent of Dominion Lands for the district

That will enable the applicant if he so desires to furnish any further evidence he may wish within said 30 days and the Land Agent can also inform him if he applies at office what steps are being taken.

12941 W.S.

Copy.

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Dominion Lands Office,
Prince Albert,
12th December, 1885.

Sir,

I have the honor to acknowledge the receipt of your letter dated at Batoche the 17th instant asking me to make up a list of all those applications taken by Mr. Duck in May, 1884 of which, in February last, I was requested to notify the applicants that they could come and make their entry, &c.

I now enclose you such a list having put in column those who have made entry,
and.

Supt. Pearce,
Prince Albert

Commissioner of the

General Land Office

Washington, D.C.

1881

and

to have the same

under the receipt of your letter dated at Boston the 11th instant and to make up a list of all those applications taken

of 1881, and in which it was stated that the same were referred to the proper authorities for consideration.

and that the same were referred to the proper authorities for consideration.

and that the same were referred to the proper authorities for consideration.

Very respectfully,
J. M. Smith

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and in another column those who have applied for their patent.

I may add that every one of these parties has been notified officially of the decision of Land Board in their respective case in March last.

I have the honor to be,

Sir,

Your obedient servant,

Sgt. Jno. Mc-Laggart,

Agent.

St. Laurent claims investigated by
Mr. J. Duck in May 1884.

Names.	When Notified	Entry made	Applied (patent)
André Leterme	27 Feb. 1885		
Cuthbert Leves	do.		
Ellen Bouette	do.		
Willis A. Boyer	do.		
Gilbert Breland	do.		
Robert Delorme	do.		
Baptiste Boyer	do.		
Jean B. Pariseau	do.		
Jean Desmarais	do.		
Napoléon Hault	do.		
Cuthbert Fagnant	do.		
Emmanuel Champagne	do.		
Baptiste Vandal (Coté)	do.		
Jean Bélanger	29 Feb. 1885		
Maxime Colin	do.	5 June, 1883	
Daniel Garüpy	do.		
Augustin Lapramboise			
Hillyard Mitchell	do.		
William P. Blaupré	do.		
Philippe Garnet	do.		
Peter Sinclair	do.		
Elzéar Parisien			
Baptiste Rochelleau, Sr.	do.		
Baptiste Rochelleau, Jr.	do.		
Antoine Vandal, Jr.	do.		
William Vandal	do.		
Charles Carrière	do.		
Antoine Vandal Sr.	3 Mar. 1885		
Isidore Villeneuve	do.		
Maurice Henry	do.	entered S. E. 20-411, 25 March, 1884.	

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St. Laurent Claims

Names.	when notified	Entry made	Applied for patent
Roger Vermette	3. march, 1885		
Thomas (should be Chamare) Dupine	100.		
Baptiste Varniel	100.		
Joseph Delorme	100.		
Jean B. Poitras			
Marie A. Poitras			
Ignace Poitras Jr.			
Ignace Poitras Sr.	100.		
Javier Letendre	100.		
Charles Thomas			
Pierre Parenteau	4 march, 1885		
Patrice Parenteau	100.		
Patrice Gervais	5 march, 1885		
Joseph Flumand	100.		
Corporation Pères Oblats	100.	21 Oct. 1885	
William Fagnault	100.		
Daniel Charlette	100.		
Roger Vandal	100.		
Modeste Rochelleau	6 march, 1885		
Lion Fergusson	100.		
Embroise Dubois	100.		
Pierre Vandal	100.		
Joseph Vandal (cotil)	100.		
Pierre Adour	100.		
Solomon Beaulieu	100.		
Jean Baptiste Rivard	100.		
Pierre Henry	100.		
Antoine Fergusson	100.		
Eudore Gervais	100.		
Baptiste Boyer	27 Feb. 1885		
Napoléon Beault	100.		

St. Laurent-Clairmont.

Names.	when notified	entry made	applied
Calixte Lafontaine	6 March, 1885		
Fridérick St. Germain	do.		
Barthelme Pilon	do.		
Pierre Parenteau (dit St. Pierre)	do.		
Morice Parenteau Sr.	do.		
Cuthbert Fiddler	do.		
William Fiddler	do.	entered S.L. 6 420, 120.3, 26/3, 84	
Joseph Vandal Jr.	6 March, 1885		
Norbert Belanger	do.		
Fidore Dumas	do.		
Edouard Dumont	do.		
George Duss	do.		
Jean Caron Sr.	do.		
Xavier Letendre (dit Batoche)	do.		
Abraham Bélanger Jr.	do.		
François Vandal	do.		
Narcisse Henry	do.		
Jean Caron Jr.	do.		
Alexandre Pilon	do.		
Joseph Pilon	do.		
Napoleon Parenteau	do.		
François Ladouceur	do.		
Cuthbert Lavoie	do.		
Alexis Lavoie	do.		
François Lavoie	7 th March, 1885		
Baptiste Lavoie	do.		

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Memorandum.

It will be observed that Henton, Sr., his 3 sons and son-in-law, George Ashmore, made a joint application for land. They all settled together and lived in one house. Ashmore lived with his father-in-law till October 1881.

When I visited these claimants in April, 1882, I saw only John Henton, Sr., and he stated if amongst them they received a section all would be satisfied as representative of the whole, and he was sold a section at

\$1⁰⁰

J. R. Hall, Esq.
Sec. Dept. Interior,
Ottawa.

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above, wanted great, and in
-brood of not a little of a
brood kept better to put
wanted. even so in beaver
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-state to beaver

[illegible]

\$1.00 per acre. Astmore must have known I was in the neighborhood investigating these claims, but he never said anything to me about them till the following January, at which time I told him that the grant to John Benton, Sr., was made in satisfaction of all, and if his father-in-law would not allow him to participate in the profits derived from this section the only remedy I could suggest was action in the courts to compel him to do so. That if he was not willing to allow his father-in-law to attend to this matter he should not have joined with him in the application. That
the

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the only application made was by John Benton, Sr., and he did so on behalf of himself, 3 sons, and of him, Ashmore, further he, Ashmore, never notified or made any claim on behalf of himself individually till after patent had been recommended Benton, and that under these circumstances the Department was not to blame in the least for acting as it had and considered his only remedy lay in the Courts. I am still of that opinion.

Actually I do not think Ashmore ever expected to purchase old sections nor was in a position financially at date of settlement to purchase. For

will

now above mentioned for the
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 to place to make sure about
 all possible things placed
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will notice Stuart states as a settler in April 1880 he was entitled to purchase $\frac{1}{2}$ a Sec. at \$1.00 per acre. For that he is mistaken. The grounds such a privilege was granted are. affidavit from applicants that they settled there because they supposed they could obtain odd sections at \$1.00 per acre; that they required such lands to carry out their farming operations, and that at date of settlement they were prepared to so purchase.

We have no such evidence from Ashmore.

It might be stated that of those who were granted the privilege to purchase lands
in

on Little Mountain at least 75% sold or tried to sell such lands so soon as they obtained them, and probably 60% of them had to raise the money by loans on the land desired to be purchased. Their actions showed that a large percentage of the settlers urged their right to purchase such odd sections on false evidence.

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 hand ill at best to last 20
 minutes, but as soon as about
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Jan'y. 6Memorandum— re —
Files 44751-103035-103041

The same observations apply to each of the three files hereabove quoted.

The history of the case is this:-

In the summer of 1849, in the month of July, as stated by John Doran, he and his son G. B. Doran settled in Township 9, Range 19 west of the 1st P. M. They erected a house on what proved to be the SE 1/4 of Sec. 23.

Later in the following autumn Thomas B. Syrdman, John Doran's son in law, and his son John G. Doran joined them and they all resided together in the said house on 23, until the following year at least. They may have resided much longer; but they admitted residing there till the following spring.

In June following G. B. Doran, aged 20 years, died

when

Copy 6

Memorandum

File #4451-103035-103041

The same observations apply to each of the three files heretofore quoted.

The history of the case is this: In the summer of 1877, in the month of July, as stated by John Brown, he and his son D. P. Brown settled in Township Range 19 north of the 1st P. M. They erected a house on what proved to be the 23 1/4 of Sec. 23. Late in the following autumn Thomas D. Thompson, John Brown's son in law, and his son John P. Brown joined them and they all resided together in the said house on 23 until the following year at least. They may have resided much longer; but they admitted residing there till the following spring. In June following D. P. Brown, aged 20 years, died.

When

When the township was
opened for entry the reservation
signed made a special
provision of these claims, but
has nothing here to show
exactly what he then found,
his notes concerning the same
being in the Township Office,
but the land board, after full
consideration of all the evidence
submitted John Board, the
father to Government of \$250
the 1/2 of Sec 14 and 15
the 3/4 of Sec 12 and 13
1/4 of Sec 23 at \$250 per acre.
John Board and John P.
Board have been awarded \$2500

Sec 22.
which is now added in
that the latter two be allowed
to pay \$100 instead of \$250 for
their preemption, and that the
date to John Board of \$250
of 1843 be made at \$100
instead of \$250 per acre, and
decided upon by the board
and that he be granted a further
100 acres free as his to his son.
The papers do not disclose
what has been charged John
Board, the father, for his preemption,
but I think it will be found
that he paid \$100 per acre, at
least he makes no complaint
about the price of his preemption.
The basis on which the
preemptions have been charged

When this township was opened for entry the undersigned made a special inspection of these claims, but has nothing here to show exactly what he then found, his notes concerning the same being in the Winnipeg Office; but the Land Board, after full consideration of all the evidence permitted John Doran, the father, to homestead & preempt the N $\frac{1}{2}$ of Sec. 14 and to purchase the E $\frac{1}{2}$ of Sec 15 and the S $\frac{1}{2}$ and NW $\frac{1}{4}$ of Sec 23 at \$2⁵⁰ per acre.

Syndman and John C. Doran homesteaded & preempted Sec. 22.

What is now asked is that the latter two be allowed to pay \$1⁰⁰ instead of \$2⁵⁰ for their preemptions, and that the sale to John Doran of portions of 15 & 23 be made at \$1⁰⁰ instead of \$2⁵⁰ per acre, as decided upon by the Board, and that he be granted a further 160 acres free as heir to his son.

The papers do not disclose what has been charged John Doran, the father, for his preemption, but I think it will be found that he paid \$1⁰⁰ per acre; at least he makes no complaint about the price of his preemption.

The basis on which the preemptions have been charged for

for is the price ruling at the date of bona fide settlement on the homestead had the land been then surveyed and open for entry.

According to that rule J. G. Moran and T. B. Syndman will be required to pay \$2⁵⁰ per acre, as they did not commence residence on the land until the summer of 1880, probably even later, as the survey returns in the fall of 1880 show no buildings on the section.

If John Moran were held strictly to this he would be required to pay \$2⁵⁰ per acre for his preemption, but as he lived on the section adjoining with his son, since deceased, and as there was no provision by which he could obtain any benefit by reason of his son's residence thereon, it was thought equitable to grant him his preemption at \$1⁰⁰ per acre.

J. B. Moran commenced residence in the autumn of 1849 and died in the following June. If he obtained entry for the land and resided thereon for 12 months he would have been entitled to purchase to the extent of 320 acres at \$1⁰⁰ per acre.

He did not live on it one year: the land is of very good quality, rendered valuable by the location and construction of the C. P. Ry. a short distance to the north, and at the time this case was

for in the same ruling of the
State of New York settlement
on the homestead tract the land
has been surveyed and of late
the survey.

According to that rule J. J.
Hagan and J. J. Hagan will
be required to pay \$250 per acre
on the old and unimproved land
acres on the land under the
survey of 1880, probably even
later as the survey returns in
the fall of 1880 when no buildings
on the section.

If John Hagan were held
strictly to the rule he would be re-
quired to pay \$250 per acre for
his present portion, but as he lived
on the section acquiring with
his son, since cleared, and as
there was no provision for
which he could obtain any
credit by reason of his son's
clearance, thereon, it was thought
reasonable to grant him the
proportion of \$100 per acre.
J. J. Hagan commenced re-
clearing in the autumn of 1879 and
paid in the following June \$1
he returned later for the land
and received thereon for 12 months
amounted have been entitled to
the same to the extent of \$250
at \$100 per acre.

The old tract line on it was
year: the tract is of very good
quality, increased valuable by the
location and construction of the
J. J. Hagan a short distance to the
west, and at the time this case
was

was before the land was
 have and ready at \$100 per
 acre, perhaps very much more.
 10-day land of equal quality
 and location in probably more
 \$200 per acre, and it was
 no more was above \$100 per
 acre to say \$200 per acre.
 It strikes me taking the
 most favorable view of the ques-
 tion, as regards John Brown
 that it is more than clear to
 the fact that on his part of J. B. Brown
 his son, the interest he could
 claim would be the right to
 purchase 100 acres at \$100 per
 acre, being J. B. Brown's share
 at least. As to whatever right
 the latter may have had in a
 partnership, they have been
 extinguished as already stated
 by granting John Brown his
 one partnership at \$100 per
 acre, when the price should
 really have been \$200 per acre.

John Brown

Sept 1859

was before the Land Board would have sold readily at \$10⁰⁰ per acre, perhaps very much more. Today land of equal quality and location is probably worth \$5⁰⁰ or \$6⁰⁰; and it was considered no hardship was done Mr John Doran to pay \$2⁵⁰ per acre.

It strikes me taking the most favorable view of the question, as regards John Doran, that it narrows itself down to the fact that as heir of G. B. Doran, his son, the utmost he could claim would be the right to purchase 160 acres at \$1⁰⁰ per acre, being G. B. Doran's homestead. As to whatever rights the latter may have had in a preemption, they have been extinguished, as already stated, by granting John Doran his own preemption at \$1⁰⁰ per acre, when the price should legally have been \$2⁵⁰ per acre.

Wm. L. Lavee

Supt.
C. W.

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Jan. 6.

Memorandum.

For convenience in treating this subject we will number the questions and reply to each of them in its order.

No 1. - Insofar as they were settled at the time of survey the claimants were given river lots. Outside of the St. Laurent settlement at the date of the survey of the land into river lots there were not more than a dozen settlers in all, extending over half a dozen townships. All of those settlers could be given the land covered by their improvements and claimed by them, without the necessity of a river lot survey, and have so been accorded the right to enter.

No 2 - The land entered by Thomas Salter was never subdivided into river lots nor has there ever yet been a claim

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1813

Lang. 6.

Memorandum.

For convenience in treating
this subject we will number
the questions and reply to each
of them in its order.

Q. 1. Insofar as they were
settled at the time of survey
the claimants were given
lots. Outside of the St. Lawrence
settlement at the date of the
survey of the land into river
lots there were not more than
a dozen better in all, except
up over half a dozen towns
ships. All of these better
could be given the land as
needed by their improvement
and claimed by them, without
the necessity of a river lot
survey, and have so been
accorded the right to enter.

Q. 2. - The land entered by
Thomas better was never
subdivided into river lots
and has there ever yet been a
claim

claim adverse to Salter's preferred. Salter, by reason of non-compliance with the homestead provisions of the Dominion Lands Act, has forfeited his right to the land and it is now applied for by other parties.

Nos 3-4 & 5 - In response to the petition mentioned, sent to Governor Dewdney, I was instructed to investigate all the cases cited: I did so in 1883, and they were settled then. In one or two cases the parties rejected the terms then offered, but since then the matter has been arranged satisfactorily to them.

In addition to my visit the Commissioner of Dominion Lands personally visited this District in March 1884, in order to settle any claims that might be preferred. The Agent of Dominion Lands as he is called between the establishment of his office in July 1882 and the Spring of 1884, probably visited this neighborhood at least once a month, if not more frequently and never did three months elapse without a visit. He took cognizance of

of

claiming a share to Boston's share
 for the Boston, by reason of
 non-compliance with the
 instructions of the
 Commission. However, the
 petitioners are not to be
 and it is now applied for
 by other parties.

Nov 3-4-5 - In response to
 the petition presented, sent to
 Governor Henshaw, I am
 instructed to investigate all
 the cases cited: I did so in 1883,
 and they were settled then. In
 one or two cases the parties re-
 fused the terms then offered, but
 since then the matter has
 been arranged satisfactorily
 to them.

In addition to my visit
 to the Commission of Commissioners
 have personally visited the
 District in March 1884, in
 order to settle any claims
 that might be preferred. The
 report of Commissioner Henshaw
 is on file in the office between the
 Commissioners and his office
 in July 1882 and the Spring
 of 1884, probably visited the
 neighborhood at least once
 a month, if not more fre-
 quently and more often
 than most the cases without
 a visit. The two copies are
 of

of all claims preferred, was well known by all the settlers in that vicinity, and for several months his office was located at the Appelle Station about 20 miles from this settlement; so that ample opportunity was given to parties wishing to prefer claims.

The sectional survey ^{method} ~~set~~ ~~had~~ their claims as well as any other regular system of survey which could have been adopted.

No 6 - There was a dispute at one time between the Rev. Father Andre' on the one part, and Ambroise Fisher, J. Kelly and Owen E. Hughes, now a member of the North West Council, on the other part; with reference to lands at Buck Lake. This dispute was originally, the outcome of a misunderstanding between Owen E. Hughes and Father Andre', and has long since been settled among themselves agreeable to all concerned.

No 7 - If the parties could not get entry it was wholly their own fault.

No 8 - The Rev. Father Ledue and

M^E

M^r Maloney in all their petitions never represented the people of the South Saskatchewan; they were the delegates from St. Albert, Edmonton and Fort Saskatchewan. What they asked in respect of surveys was granted, which concession was exactly similar to what had already been granted to the settlers at Balloche. ^{That is where settlement was made in advance of survey & the sections survey would not suit the holdings of the claimants - this River lot was granted}

N^o 9. The answer to N^o 8 applies to this. The Rev. Father Vegreville from whom a quotation is given, did not evidently understand the subject and was imposed upon by others; probably he did not know that the parties had settled subsequent to survey.

N^o 10 - There is no record of any promise to Rev. Father Leduc, or to M^r Maloney, that the lands at St. Louis de Langevin would be surveyed into river lots. St. Antoine de Padoue is what I understand as the survey of St. Laurent which had been surveyed into river lots at that date. A delay had however occurred in granting entries owing to a dispute with respect to the boundaries between this settlement and One Arrow's Indian

(see what they ask and should be done.)

Mr. P. Harvey in all the relations
 never represented the people of
 the South. In fact, they
 were the delegates from the
 Government and not the South.
 were. But they are not in
 respect of money, was granted
 which concession was exactly
 similar to what had already
 been granted to the settlers
 at Colorado. There is no difference in
 the two. The only difference is
 that the Government has not
 been granted to money.

§ 9. The answer to § 8 affords
 to the Gov. the better position
 from which a grantation is
 given, and not exclusively con-
 sidered the subject of
 was improved upon by the
 probably to give not more
 that the Government had better
 bequeathed to money.

§ 10 - There is no record of
 any answer to the Gov.
 record, or to the Government, that
 the laws of the Gov. are
 responsible to the Gov.
 with some laws. It is true
 the Gov. is not responsible
 as the Gov. of the Gov.
 which has been answered into
 since late at that date. It
 delay had however occurred
 in granting entries owing
 to a dispute with respect to
 the boundaries between the
 Government and the Gov.
 Section

There is no record of
 any answer to the Gov.
 record, or to the Government, that
 the laws of the Gov. are
 responsible to the Gov.
 with some laws. It is true
 the Gov. is not responsible
 as the Gov. of the Gov.
 which has been answered into
 since late at that date. It
 delay had however occurred
 in granting entries owing
 to a dispute with respect to
 the boundaries between the
 Government and the Gov.

Indian Reserve.

Sp^s 11, 12 & 13 - What Sir David Macpherson meant was that instructions had been sent to surveyors, that were the found people had settled closely together, so that a sectional survey would not satisfy their claims, they were to subdivide the land into river lots. These have invariably been the instructions given surveyors.

Sp-14 - That the suggestion mentioned by M^r Deville had been carried out long before the outbreak of the Half-Breeds on the South Branch.

Sp-15 - Has been already answered. The Government have always informed people that those settling subsequent to survey would be expected to comply with the system of survey.

Sp-16 - All settlers have received 160 acres free as a homestead. The preemption portion has been sold to them at \$1⁰⁰ or \$2⁰⁰ per acre according to the date of settlement; if prior to the

Michigan Revenue.

July 11, 1843 - What Sir James
Proctor has said was that
the Government had been sent to
Europe that were the former
people had settled cheaply
to other so that a restriction
would not satisfy
their claims, they were to find
outside the land into which
late. There have variously
been the restrictions given
Government.

July 14 - That the suggestion
mentioned by Mr. Smith
has been carried out long
before the outbreak of the war
between the South & North.

July 15 - Has been generally
agreed. The Government
have always informed people
that there settling and
to survey would be expected
to comply with the system
of survey.

July 16 - All letters have re-
ceived 100 acres free on a
provisional. The presumption
has been made to
them at \$100 or \$200 free
are according to the state
of settlement; if prior to
the

The 1st of June 1880, \$1⁰⁰/per ann.

nos 17 & 18 - have been
already answered.

The 1st June 1880, 2/50 per acre.

2nd 17th 18 - 16 per acre
already answered.

Memo. for Dominion Land Commissioners

"Every reader of this journal knows that it is an "offensive partisan" so far as Scotch Fyfe wheat is concerned. We have at all times and under all circumstances advocated the exclusive use of pure seed of this variety throughout the Northwest and in all sections where it can be grown. But now comes a Manitoba farmer, Yeomans by name, who says that Fyfe wheat ripens too slowly for cold climates, and should be discarded in such, for the reason that it is always liable to be caught by early frosts. But Yeomans claims to have thoroughly tested the Fyfe for years in Manitoba soil and to have found it wanting. He raised White Russian wheat, on the same soil and under the same relative conditions, and it ripened earlier, yielded better, was free from weeds, &c. and sold one to three cents higher year.

Memorandum for the Commission

"Every reader of this journal knows that it is an 'offensive publication' so far as Scotch whisky is concerned. The fact of all times and under all circumstances advocated the exclusive use of pure Scotch whisky throughout the North. But in all sections where it can be grown. But now comes a remarkable farmer, Thomas, who says that Scotch whisky ripens too slowly for cold climates, and should be dis- corded in such, for the reason that it is always liable to be caught by early frosts. His arguments claim to have been supplied to the State for years in Scotland and to have found it unimpaired. He raised White Russian whisky, on the same soil and under the same relative conditions, and it ripened earlier, yielded better, was free from weeds, &c. and sold on the same high price.

Yours

year after year, than the Scotch
 type. Mr. Yeoman also dispels
 another fond illusion we had
 cherished. He says that better
 grain and a larger yield will
 result from sowing nine pecks
 per acre than from sowing
 six pecks. He admits, however,
 that type is less liable to what
 he terms "autumn smut" than
 white Russian and adds that
 any farmer troubled with this
 smut "is either slothful or has
 not learned his business." There
 is much interesting matter
 in Mr. Yeoman's address, which
 we have made liberal extracts
 from and shall soon print,
 contenting ourselves with saying
 that our argument of this kind
 is not all convincing and that
 we still have great faith in
 Scotch type wheat.

This above quotation is from
 the Winnipeg Free Press of Jan-
 uary 13th 1886 (4th page) being a
 portion of an extract from the
 "Nor-west-miller."

The Yeoman mentioned

lived

year after year, than the best
 life. The Americans also disbelieve
 another form of education we had
 cherished. The says that better
 gain and a larger field will
 result from having more people
 go over than from having
 six people. The admits, however,
 that life is too hard to what
 be termed "autumn" than
 while Russian and adds that
 our former troubles with this
 world is either blatant or has
 not learned his business. There
 is much interesting material
 in the American edition, which
 we have made liberal extracts
 from and shall soon print.
 containing various with saying
 that our argument of this kind
 is not all convincing and that
 we still have great faith in
 Social life itself.
 This above quotation is from
 the "Unpublished Papers of John
 May 1880" (2nd paper) being a
 portion of an extract from the
 "The Yearning mentioned
 book

lived for several years immediately to the west of Kenneth McKenzie of Burnside, being on I think Section 4-12-8 W1st. In 1882 he moved to Sp 9 or 10 R. 22, W1st on the Railway line about 20 miles west of Brandon, he always has been a grain grower to a very considerable extent. At a meeting of farmers in Manitoba last autumn, I think the "Farmers Union" he read a paper on wheat growing and it was what I remembered of it caused me to suggest that it might be inadvisable to send Red Life solely to Prince Albert.

In 1884 considerable Red Life was sown in the vicinity of Edmonton, an experiment in that locality, the frost which occurred there in August of that year injured it to a much greater extent than the old club wheat. I was at Edmonton at the time and heard a good deal of discussion on this point. The advocates of the Red Life claimed that the club was sown earlier

than

lived for several years immediately
 to the west of the old village
 of Cambridge, being on a line
 section 4-15-8 101st. In 1882 he
 moved to the 1010 D. 22, 101st on the
 boundary line about 20 miles
 west of Cambridge, he always
 has been a grain grower to a
 very considerable extent. At a
 meeting of farmers in Hamilton
 last autumn, I think the "Farmers
 Union" he read a paper on
 wheat growing and it was
 what I remember of it. I cannot
 be to suppose that it might
 be valuable to send that
 life to Prince Albert.
 In 1884 considerable part of
 was sown in the vicinity of
 Edmonton, corresponding to that
 locality, the facts which occurred
 there in August of that year
 injured it to a much greater
 extent than the old club wheat.
 I was at Edmonton at the time
 and heard a good deal of his
 mission on this point. The old
 varieties of the Red life claimed
 that the club was sown earlier
 than

than the life; but from enquiries made I found that when both were sown on same date along side of each other the club was much more advanced than the life. I examined some fields personally and the conclusion I came to was that the club every year it was grown matured earlier than the preceding year, that the club had been grown there some 12 years, that after the Red life had been cultivated in that locality for that length of time it would mature as early as the Club. Many farmers at Edmonton stated to me that they could not again attempt the growth of the life.

I saw the requisitions for grain at Prince Albert and it included 3 varieties of wheat viz:- Red life, White life (which I conclude is Russian but of that I am not certain) and Club. Two kinds of oats and two or three kinds of barley. I think there was more club asked for than

than the life; but from experience
 made I found that when both
 were down on some date along
 side of each other the club
 was much more advanced
 than the life. I examined
 some fields personally and the
 conclusion I came to was that
 the club every year it was grown
 matured earlier than the life.
 Looking over, that the club
 had been grown the same 15
 years, that after the life
 had been cultivated in that
 locality for that length of
 time it would mature as early
 as the club. Young farmers
 at Charleston started to market
 they would not again attempt
 the growth of the life.
 I saw the reputation for
 grain at Prince Albert and it
 included a variety of wheat
 and life, while life grain
 I conclude is Russian but of
 that I am not certain) and
 club. Two kinds of oats and two
 or three kinds of barley. I think
 there was more club asked for
 than

than Red Life.

If it can be done as well why not give the people what they ask. They will claim, with a good deal of force that they are the best judges of that matter not the Government.

I don't think you will have any difficulty procuring Russian wheat, but I doubt if you can obtain much club unless you send to Edmonton and then it can't be delivered at Prince Albert in time.

I had expected to have seen these requisitions from Prince Albert detailing the varieties of wheat at H.O. The only reason why they are not is probably they expected their request that some of themselves would be detailed to make the purchases.

If you have occasion to utilize the services of anyone at Prince Albert outside of our own staff I would suggest one Mr Craig a Canadian Scotchman, a friend of D. H. Macdowall ex. member of the North West Council.

The

than Red life.

If it can be done as well why
not give the people what they
ask. They will claim, with a
good deal of force that they
are the best judges of that.
Whether or not the Government.

I don't think you will have
any difficulty procuring Russian
tobacco, but I doubt if you can
obtain much else unless you
send to Constantinople and then it
can't be delivered at Prince Albert
in time.

I had expected to have seen
these expeditions from Prince
Albert obtaining the varieties of
what is called the only reason why
they are not is probably they ex-
pected their request that some of
themselves would be selected to
make the purchases.

If you have occasion to visit
the barriers of any one of Prince
Albert's outside of our own staff I
would suggest, one has said a bar-
ber, a friend of
D. H. Macdonald ex. member of
the North West Council.

the

The carriage has been fixed in "Order in Council" at I think 4th may. but parties then offered to do it at 3½. cash, the Government is paying cash and these people if they complain might be told the price was fixed at that as the offer had without solicitation been made at that figure.

I think probably the C.P.Ry. can give, if grain is bagged, storage in their freight shed at least if grain moves off promptly.

As to tendering for barley, I would request tenders be asked for delivered at Qu'Appelle Station, Swift Current, and say some point on the South Saskatchewan not lower down than say line between Ranges 24 and 25 W. of 2nd or at Prince Albert and ask Ed. monton people to tender for it. The Prince Albert point is for Edmonton. If tender other than Edmonton is accepted would not think of pulling it any further down than said Range line. To be delivered not later than 10th May at latter point. At Qu'Appelle

no.

the various and species of
the "Linnæa" and "Linnæa"
and various other species of
the "Linnæa" and "Linnæa"
and various other species of
the "Linnæa" and "Linnæa"
and various other species of
the "Linnæa" and "Linnæa"

the "Linnæa" and "Linnæa"
and various other species of
the "Linnæa" and "Linnæa"
and various other species of
the "Linnæa" and "Linnæa"

the "Linnæa" and "Linnæa"
and various other species of
the "Linnæa" and "Linnæa"
and various other species of
the "Linnæa" and "Linnæa"

the "Linnæa" and "Linnæa"
and various other species of
the "Linnæa" and "Linnæa"
and various other species of
the "Linnæa" and "Linnæa"

8.

not later than 1st March and during
current 20th March, well bagged in
sacks (specify quality) contain-
ing 2 bushels exactly, in each sack.

I think all the grain should
be put up in sacks containing
2 bushels exactly and recipient
charged cost of sacks in addition
to grain, that will necessitate
the tenderers to put in tender
for price of grain also of sack and
in your advertisement specify
the kind of sack and presume the
merchants can give you the trade
designation of each variety.

The grain to be passed upon
by Government Grain Inspector
Clarke of Winnipeg and in your
advertisement specify that.

Would suggest you put your-
self in communication with
Clarke Secretary of Agricultural
Society re kinds of oats and bar-
ley, quantities of each, if not of
wheat.

Your man at Prince Albert
will require to advance 1st per
lb. on freighting, if not 2nd. Would
suggest that your man at

Qu'appell

Qui'Appelle have power to advance when grain is loaded on there with what has been advanced at Prince Albert 2^{cts} in all, that will enable the man who takes no advance at Prince Albert or say 1^{ct} to get at Qui'Appelle 2^{cts} in all.

The man at Prince Albert to be the head one and no grain to be delivered except on order from him. Should any of the Prince Albert settlers be down at Qui'Appelle and wish to take up a load having Arch^d McDonald Hudson's Bay Factor of Qui'Appelle go security for them the grain might be furnished them and advance made.

Blank forms of receipts and shipping bills will require to be made out, but you can probably obtain them better than I can devise, I have had little experience in shipping.

Cashing of cheques at Qui'Appelle and at Prince Albert.

I have no doubt you can make arrangements with Hudson's Bay Commissioner Wrigley to have
your

your cheques cashed at par at Prince Albert, or through the Commercial Bank, Winnipeg, by their Agents, McArthur and Co. of Prince Albert.

S. Carswell, private banker of Qu'Appelle will I think be glad to cash them at par at Qu'Appelle.

It would be advisable to have cheque books prepared.

Your man Taylor ought to be able to devise the cheque books, shipping bills, receipts and orders required.

Notice of tenders to be received to be sent Say Ogilvie & Co., McMillan & Co., McBean & Co., MacL. Son & Co., and any other buyers in Winnipeg. Also any buyers you may know at Portage La Prairie. Brandon The Bell Farm people at Indian Head and ask Robert Crawford there to notify any people there he may know who would be desirous of tendering as I think oats and wheat can be obtained in that locality probably barley. Also send
to

814

To Carswell & Co., McMillan & Co.,
of Qui Appelle, S. W. Jackson of
Fort Qui Appelle, that member
of the N. W. Council at Wolsley.
Perley and to anyone at Re-
gina you may know, and
Ross of Moosejaw.

Separate tenders for each variety of wheat, oats and barley. You might send notice to Spencer Bedford of Moosemin.

Your men at Prince Albert and Lu'Appelle should be notified that they must furnish receipts in duplicate for all cash disbursements and advances made for which no receipts are furnished and any made without authority they will be held personally responsible.

I think I have covered the whole ground as requested by you but if any thing omitted occurs to me I shall write you forthwith.

Have each bag marked on it the total no. of pounds bag and all the allowance for bag will be about 1^{lb.} for each 2 bushels.

Scales suitable to weigh say 1000 lbs. will be required at both Lu'Appelle and Prince Albert.

The

I have covered
 the whole ground as requested
 by you that if any thing
 omitted seems to me I have
 sent you forthwith.
 I have each bag marked
 on it the total no. of pounds
 bag and all the allowance
 for bag will be about 1st for
 each of books.
 I also undertake to bring
 up 1000 lbs. more as required
 at both du'Apelle and Prince
 Albert.
 I think I have covered
 the whole ground as requested
 by you that if any thing
 omitted seems to me I have
 sent you forthwith.
 I have each bag marked
 on it the total no. of pounds
 bag and all the allowance
 for bag will be about 1st for
 each of books.
 I also undertake to bring
 up 1000 lbs. more as required
 at both du'Apelle and Prince
 Albert.
 I think I have covered
 the whole ground as requested
 by you that if any thing
 omitted seems to me I have
 sent you forthwith.
 I have each bag marked
 on it the total no. of pounds
 bag and all the allowance
 for bag will be about 1st for
 each of books.
 I also undertake to bring
 up 1000 lbs. more as required
 at both du'Apelle and Prince
 Albert.

814

The blanks might be somewhat of this style.

1 Order by P. A. man on Lu'Appelle man.

No.

P. Albert

1886

To

Lu'Appelle. Station

Please deliver to bearer

— bush. of — on which I have advanced him \$ — buy at the rate of — cts on the quantity he intends to bring. Should he require any further advance please advance 2 cts per pound including the advance made by me on all he takes from Lu'Appelle and which he agrees to deliver him before the — day of — 1886.

This receipt ^{order} to be retained by Lu'Appelle man as his authority for delivery.

I

Form of Receipt to be given by freighter to P. Albert man on obtaining order on Lu'Appelle man.

No.

Prince Albert -- 1886

Received from — the sum of \$ —
— dollars

Duplicate I took for this.

814

The blanks might be somewhat of this style.

Order by P. A. man on 24th Sept.

No. 1876

P. Webb
du'Appelle. Station

Please deliver to be over
To
I have delivered to be over
at the rate
of the quantity he intends
to bring. I should be required
further advance please advance
I per passed including the
advance made by me on all
the latter from du'Appelle and
which he agrees to deliver him
before the day of - 1876.
This receipt to be retained
by du'Appelle man as his
authority for delivery.

Order by P. A. man on 24th Sept.

Form of Receipt to be given by
recipient to P. Webb man
on obtaining order on du'Appelle

Received from - the sum of \$
P. Webb - 1876

814

_____ dollars being an
advance on _____ lbs of freight
as wheat, oats or barley which
I agree to leave from Du'Appelle
station C. P. R. to _____ in Prince
Albert and agree to deliver the
same at P. Albert in first
class condition on or before
the _____ day of _____ 1886 The
rate of freight to be _____ cts per
pound.

Witness

Lx. _____

The above to be in duplicate
with a stub. of that to be
taken.

Blank form receipt at Du'Appelle

No.

Du'Appelle - 1886

Received from _____ \$ _____
_____ dollars, being with
what I have received from
_____ at Prince Albert _____ cts
per lb. on _____ lbs. of wheat
and _____ lbs. of oats now
loaded on by me and which

dollars being an
 advance on — the of freight
 as wheat, oats or barley which
 I agree to leave from du'Appelle
 station C. P. R. to — in Price
 Wheat and agree to deliver the
 same at P. Wheat in first
 class condition on or before
 the — day of — 1886 for
 rate of freight to be — per
 hundred.
 Witness
 La. —

The above to be in duplicate
 with a copy of that to be
 taken.

Wheat from receipt at du'Appelle
 La' Appelle — 1886
 Received from —
 dollars, being of with
 what I have received from
 at Price Wheat I etc
 per M. or — the of wheat
 and — the of oats from
 loaded on by me and which
 I

I agree to deliver in first class
condition at Prince Albert
to _____ on or before the
_____ day of _____ 1886
Witness _____ If _____

This to be in triplicate with
Stub. one will do for shipping
bill to be given freighter, the
other two retained by Du'Appelle
^{man} as voucher for his disburse-
ments.

Form for Prince Albert Man.
of Receipt in full for
freighting.

Witness
day of _____
1882
to _____ or or before the
Commissioner at Prince Albert
I agree to deliver in first class

ments.
no voucher for his disburse-
ment. Two retained by Dr. Whipple
are to be given freighter, the
that one will do for shipping
This to be in triplicate with

freight.
of receipt in full for
given for Prince Albert and

W

Prince Albert

1886

Received from the
sum of \$ dollars
being in full at the rate
of cts per pound for
 lbs of wheat and
 lbs of oats teamed by me
from Du' Appelle Sta C.P.R.
to Prince Albert and delivered
over by me in good condition
to on day of
 1886

Witness

By

This in duplicate
with a stub. & must
furnish these receipts as
vouchers for all his disburse-
ments.

His cheques should
have a blank no. so that
he could put in it the no.
of receipt.

As you are a lawyer
you know best what kind
of receipts or agreements
with

Prince Albert 1886

1886

Received from
sum of \$
being in full at the rate
of the per pound for
the of wheat and
the of oats loaned by me
from Mr. Appleby to C. P. R.
to Prince Albert and delivered
over by me in good condition
to
day of

1886

Witness

by

This is duplicate
with a stub.
I wish these receipts to
overcharge for all his disburse-
ments.

This cheque should
have a blank as so that
he could put in it the
of receipt.

As you are a lawyer
you know best what kind
of receipt or agreement
with

with the necessary security
by parties to whom grain
is furnished & on basis of
2 bush. for one.

Instructions must also
be given Rogers, & Arsonneau
re amount to be furnished
applicants on inspection
by latter. I think it is only
so far as the more ignorant
settlers are concerned that
an inspection is necessary
to know whether they have
the ground prepared or,
can sow the amount
asked for. Ontario settlers
generally, & the better class
of half-breeds know without
inspection what grain they
require, you might-perhaps
explain this to Arsonneau &
Rogers.

Another point is to
explain to these people why
the Gov^t think 2 bush. for
one is not exorbitant. That
there is a misunderstanding
as to $1\frac{1}{2}$ for 1 being
promised

with the necessary security
by parties to whom grain
is furnished on basis of
a check for one.

Instructions must also
be given proper & reasonable
amount to be furnished
applicants on inspection
by letter. I think it is only
so far as the more important
letters are concerned that
an inspection is necessary
to know whether they have
the ground prepared or
can save the amount
checked for. Ontario better
generally, & the better class
of half-breed know without
inspection about grain they
require, for might-perhaps
explain this to themselves &
proper.

Another point is to
explain to these people why
the Gov. think a check for
one is not sufficient. That
there is a misunderstanding.
and as to 1/2 for 1 being
furnished

promised last year the records here show 2 for 1, however if they make a pass over it, if the minister considers it too high it can be lowered, hereafter.

Should there be applicants for more than is furnished consider those who had put in their applications prior to my leaving Prince Albert should be first-served.

provided last year the
 records here show 2 for 1,
 however if they make a
 pass over it, if the Minister
 considers it too high it can
 be lowered, hereafter.

Should there be applicants
 for more than is furnished
 consider those who had
 put in their applications
 prior to my leaving office
 Albert should be first
 served.

Handwritten text in a cursive script, likely a list or ledger, with columns separated by red lines. The text is written in dark ink on aged paper. The columns contain various entries, some of which are partially obscured or faded. The entries appear to be names or identifiers, possibly related to a historical record or inventory.

418

[illegible]

some part is bound over phloem and most part in the

225

1632

ad latitudine plurifera
ad latitudine 11 ft.
ad latitudine 11 ft.
ad latitudine 11 ft.

21st Jan'y 6

Memorandum

—re—
Files 88566-85143-91154-103408

1- With reference to the claim of A. V. Anderson to obtain as a preemption, the E $\frac{1}{2}$ of Sec 19-32-24 W of 4 P.M., at \$1⁰⁰ per acre.

The history of this case is as follows:- To understand it intelligibly it is necessary to refer to the township map.

In 1844 one Henry White broke about one acre, whether on Sec 19 or 30 does not appear. He abandoned it, and shortly afterwards one John Lee took possession and broke in all about 6 acres whether on 19 or 30 does not appear, but probably on both. Lee sold to one Whitford who lived on it in a tent for a portion of two summers and sold his entire claim to Anderson in 1882. No buildings were then erected. Since that date Anderson's residence has not been in compliance with the legal requirements, though his improvements have been fairly

21-4-1874

Memorandum

File 8856-85143-91127-103408

I first reference to the claims of A. J. Anderson to obtain as a preemption, the 3 1/2 of Sec 19, 22-24 N. of H. W., at \$1.00 per acre. The history of this case is as follows: - To make certain it is intelligible it is necessary to refer to the township maps. In 1877 one Henry White broke claims one acre, whether one Sec 19 or 20 does not appear. He abandoned it, and shortly afterwards one John Lee took possession and broke in all about 6 acres whether one 19 or 20 does not appear, but probably one both. He sold to one Whitford who lived on it in a tent for a portion of two summers and sold his entire claim to Anderson in 1882. No buildings were then erected. Since that date Anderson's residence has not been in compliance with the legal requirements, though his improvements have been fairly

815

fairly extensive.

After survey in 1882 it was found that those improvements were partly on Sec 19 and partly on 30. The total amount of improvements according to the township map, would be about 15 acres enclosed, and most of them ^{are} probably broken. ^{More than half of said improvements appear to be on Sec 30.} Anderson appears to have decided to claim the E $\frac{1}{2}$ of 19 and sold his right to a portion of Sec 30, containing 101 acres to one Hetherington.

Hetherington sold to Barnerman who sold to one Connors, forest ranger; the latter has since sold to Kelly and Kelly has applied to make entry therefor and has been told that he can make homestead entry for this quarter-section.

When the case was before me no claim was preferred other than the right to make homestead & preemption entry, Sec 19 being odd numbered, and that was accorded.

On the 14th June A. V. Anderson writes that he is entitled to pay ^{on} \$1.00 per acre ^{for his pre-emption} because other parties have been allowed their preemptions at that figure. If those parties received such terms they probably had better grounds for obtaining them than Anderson has now shown. Has he not been treated

The first survey in 1882 it was
 found that the improvements
 were partly on the 1/2 and partly
 on 30. The total amount of
 improvements according to the
 township maps, would be
 about 10 acres enclosed, and
 about 1/2 of these improvements
 were on the 1/2 and 3/4 of 1/2
 and about 1/2 of the right to a
 town of 30, containing 101
 acres to one lettering.
 The right was sold to James
 and was sold to one James
 for 1000. The latter has
 since sold to the one of
 the 1/2 has applied to make
 entry therefor and has been
 told that he can make him-
 self entry for the quarter-
 section.
 When the case was before
 me no claim was preferred
 other than the right to make
 himself entry of 1/2 section
 and that was accepted.
 On the 17th June C. J. Anderson
 writes that he is entitled to
 pay \$100 for one 1/2 section
 other parties have been al-
 lowed their proportion of that
 figure. If the parties receive
 such terms they probably had
 better proceed for obtaining
 their own 1/2 section has
 not shown. Was he not been
 treated

815

treated in a sufficiently liberal manner by being accorded homestead and preemption entry on an odd-section?

None of his predecessors had complied with the homestead requirements of the Land Act and from the amount paid Whitford, ~~or~~ \$180., the improvements were not very extensive. ^{4 of these improvements to be made on Dec 19, at 10¢ per acre} What Anderson received for the improvements on Sec 30. sold by him to Hetherington does not appear, but as the township map shows that rather more than 50 percent of those improvements were on Sec 30. It is to be presumed that those on Sec 19 did not cost him \$90.

816

W-2 - Christopher V. Anderson was not 18 years of age till 1883. Hence although living on the place since the spring of 1882, I presume his residence cannot count until his 18th year, and he cannot be considered a squatter till then. He claimed the right to homestead an odd section and to pre-empt an even section adjacent; the question as to the price of preemption was not raised. He based his claim on the ground that he had bought out the claims of one McKee paying him \$20. for the same.

treated in a sufficiently liberal
 manner by being accorded
 franchise and representation
 entry on an old - section?
 None of his predecessors had
 complied with the requirements
 requirements of the land act
 and from the amount paid
 interest, on \$180, the improve-
 ments were very extensive.
 The improvements were on the 30.
 but by him to be the same
 does not appear, but on the
 township map shows that
 later more than 50 percent of
 the improvements were on
 the 30. It is to be presumed
 that there are 19 acres and
 out from \$90.

812 - Christopher V. Anderson
 was not 18 years of age till
 1873. He was although living
 on the place since the spring
 of 1872, presume his residence
 cannot count until his 18th
 year, and he cannot be con-
 sidered a squatter till then. He
 claimed the right to homestead
 an old section and to buy
 an even section adjacent, the
 question as to the price of
 homestead was not raised.
 He based his claim on the
 ground that he had bought
 but the claim of one William
 Spring from him for the same
 but

but it also appears from the evidence that although he bought McKay's claim, the improvements (there does not appear to have been any residence by McKay) were on the SW $\frac{1}{4}$ of Sec. 2, whereas Anderson claims a homestead on the SE $\frac{1}{4}$ of that section. If he had any right, through the purchase from McKay, it would be on the SW $\frac{1}{4}$ not the SE $\frac{1}{4}$: even assuming that McKay's improvements were on the SE $\frac{1}{4}$ there is nothing to show that he ever resided on it and from the consideration paid him his improvements must have been very meagre.

I do not see the grounds for according him his preemption at \$1.00 per acre, nor does he appear to have entertained any such idea until after the public meeting at Edmon-
ton which protected against any settler being charged more than \$1.00 per acre for his preemption, and Anderson shortly afterwards writes protesting against being charged more than that sum quoting as his reason the resolution passed at that public meeting.

Further a claim has been preferred to
a portion of the SW $\frac{1}{4}$ of Sec. 2, through
the improvements of J. A. McKay by one name.

3. As to the dispute over the
boundaries between Anderson
and

but it also appears from the evidence that although the board of directors, the improvements in these cases and appear to have been very recent by the board were on the 24th of Dec. when the University claims a hundred and one the 24th of that section. Of the board and right, through the purchase from the board it would be on the 24th and the 24th: even assuming that the board were improvements were on the 24th there is nothing to show that he ever received or it was from the University board that his improvements must have been very much.

to have the grounds for recording him his improvements at \$100 per acre, was then he appears to have undertaken and such other units of the the public meeting at Columbia has which protested against any better being charged more than \$100 per acre for his five. improvements, and University authority afterwards under protesting against being charged more than that sum stating as his reason the resolution passed at that public meeting.

It is a matter of fact that the board of directors of the University of the State of New York, in 1882, passed a resolution authorizing the purchase of the land in question for the purpose of establishing a public library.

As to the dispute over the University between the University and the State of New York, it is a matter of fact that the University of the State of New York, in 1882, passed a resolution authorizing the purchase of the land in question for the purpose of establishing a public library.

817

and Bredin, Anderson in his communication implies that he was not aware that there was any dispute concerning the boundaries of the said lots 13 & 15a, Edmonton, but if you will refer to a letter of his, W-88958, he there admits that there has been a dispute of very long standing.

Mr Bredin filed with me on my arrival at Edmonton, a protest against the survey. I notified both Bredin and Anderson to be present at a certain hour with their respective witnesses. Each had the opportunity of cross-examining the other to the fullest extent, and of furnishing any evidence he might wish in support of his contention.

My reasons for arriving at the decision I did are set forth in my report on the matter. I did not change the boundary between lots 15 & 15a although Bredin contended it should be changed; but I did so between lots 13 & 15a for the reason that what appeared to me the strongest evidence of the boundary claimed by Bredin was a spring of water on the side of the bank of the Saskatchewan which had always been used in connection with Bredin's lot

And as a matter of fact Bredin
... never being right or
... who then continues at the
... time specified

lot, to which a former occupant had graded a road down the hill to utilize the spring. The spring had never been used by any others than the occupants of this lot without protest at ~~any~~ ^{any} times from the owner of lot 13. So, in order to include this spring in 15 it was necessary that the line between lots 13 & 15 should be moved one and a half chains west.

It might be said that the occupants of the lot prior to Deane's survey had a very vague idea of the direction of their boundaries and supposed that the lines would run back from the river in this locality with a South Easterly direction, but this would as have been established

It might be mentioned that the boundary between lots 13 & 15 was the 1st lot situated on the west locality.

Respectfully Submitted
 Wm Deane
 Supt

to which a former owner
 had had granted a lease
 or was the right to occupy the
 building. The former had never
 been used by any other than
 the owner of it, but without
 protest at ~~any~~ times from the
 owner of lot 13. So, in order to
 include this property in lot 13
 was necessary that the line
 between lots 13 & 12 should be
 moved one end a half chain
 west.

It might be said that
 the occupants of the lot prior to
 the survey had a very vague
 idea of the direction of their
 boundaries and supposed
 that the lines would run
 back from the river in the
 case of a doubt. Certainly
 the surveyor has been satisfied

! I think the intention that the boundary
 of lot 13 was that of lot 12 on the N.W.

Respectfully Submitted
 J. W. Brown
 Agent

22nd Jan'y 6

Memorandum.
re James M. Martin's application

Martin is a hardware merchant in Calgary and a respectable citizen, one of a large number who though doing business in that Town have entered for homesteads in the vicinity. He bases his claim chiefly on the fact that at the time he took it ^{or getting his pre-emption paid.} up, he supposed that when this township ^{124-146th} was open for entry he could take advantage of the two mile limit. Why he should have thought so is not very clear as no intimation had ever been given to the public as to terms entries would be granted in this township.

He does not state when he purchased Ward's right to this quartersection, but he states that Ward commenced his improvements in the spring of 1884; and he supposed he would be accorded any rights Ward might have. There is nothing in the Land Act to warrant such an assumption, and the probability is that at the time he purchased from Ward he knew, or might have known

22nd Jan'y 6

Memorandum

re. James M. Martin's application

Martin is a Baltimore merchant in Calvary and a respectable citizen, one of a large number who though doing business in the town have entered for homesteads in the vicinity. He has his claim chiefly on the fact that at the time he took it up he supposed that when the township was open for entry he could take advantage of the two mile limit. But he should have thought so is not very clear as no intimation had ever been given to the public as to terms entries would be granted in this township. He does not state when he purchased land's right to this quarter-section, but he states that land commenced his improvements in the spring of 1864 and he supposed he would be accorded any rights that might have. There is nothing in the land act to prevent such an assumption and the probability is that at the time he purchased from the land he knew, or ought to have known

818

known, the conditions which had been attached to similar reserves, such as those at Regina and Moosejaw.

The Mile Belt was opened for entry prior to the time land was even settled on the land, and if Martin took up his claim prior to the 19th April 1884, he took it up before the two mile limit became in force.

If the privilege is granted to Martin it will be hard to refuse it to others, and, as the Minister is aware, during his visit there, there was considerable agitation by the people of Calgary to the effect that residents should in all cases be waived in favor of improvements.

Martin bases his claim principally on the ground that one S. W. Trott has been accorded ^{of obtaining land by} the right of improvements in lieu of residence. On turning up the report of Mr. Gordon on which this privilege was accorded to Trott I find that he states: - "Mr. Trott has now 'about one hundred head of cattle, principally heifers. These cattle he has imported from the East and is constantly adding to their numbers, and I beg to recommend Mr. Trott's application for favorable consideration."

If Martin can show that he has as good ground for consideration

known, the construction which
has been attached to his
speeches, such as those at
and Glasgow.
The Anti-Slavery
for entry prior to the time
even settled on the land, and
if Martin took up his claim
prior to the 1st April 1844, he
took it up before the two months
limit became in force.
If the principle is granted
to Martin it will be hard to
refuse it to others, and, on the
Minister is aware, claiming his
right there, there was considerable
agitation by the people of
Glasgow to the effect that
abolition will never be
in favor of improvements.
Martin does his claim
principally on the ground that
one J. W. Butt has been
the right of improvements
in line of residence. On turning
up the report of Mr. Gordon
on which this principle was
advanced to Butt find that
Butt:- "Mr. Butt has now
"about one hundred head of
"cattle principally heifers. The
"cattle he has imported from
the East and is constantly adding
"to their numbers, and I beg to
"recommend Mr. Butt's application
for favorable consideration."
If Martin can show that
he has as good ground for
consideration

818

consideration as this report states
 Mr Trott had, I can see no
 good reason for granting such
 a concession in Trott's case
 and refusing it in this one.

But it should probably be based on what he
 is in a position to do at once, not what may be done
 by him at a future date. Respectfully submitted

Wm. Pearce

Ottawa, 23rd January, 188

My dear Mr. Royal,

I find among certain papers left me by Mr. Smith a telegram from you to him concerning the day scrip for Lot No 6 Grande Pointe and a memo. on the file that the same had not yet issued.

Having that the matter may have been overlooked by Mr. Smith in the hurry of leaving yesterday I take this opportunity of informing you of the

Royal, M. P.,
 Fenimore,
 Man.

811-287

818

8003298

1871, present, present

Report on the work of the
Department of the Interior
for the year 1871. The report
contains a list of the
principal events of the year
and a list of the
principal events of the
year. The report is
divided into two parts,
the first part containing
the principal events of the
year and the second part
containing the principal
events of the year.

Report on the work of the
Department of the Interior
for the year 1871.

amen et f. amabili et
 a beate sord

quid sord

[Signature]

The substance of the memo.
above referred to.

Yours truly,

W. H. Lawrence

22/1/28

888

My dear Mr. [unclear]
 I have just received your letter of the 19th inst. and am
 glad to hear that you are well. I am
 very busy at present but will
 try to write to you again soon.
 I am, dear Mr. [unclear],
 very truly yours,
 [Signature]

I have just received your letter of the 19th inst. and am
 glad to hear that you are well. I am
 very busy at present but will
 try to write to you again soon.
 I am, dear Mr. [unclear],
 very truly yours,
 [Signature]

058

050

25th January, 6.

Sir,

On the morning of the 1st of December, last, I left Winnipeg for Prince Albert and checked five pieces of luggage to Qu'Appelle. The train arrives there after 1 a.m. and took my hand valise and went to an hotel. Next morning at 8 a.m. on enquiring for my baggage found it lying on the platform where it had been thrown off some hours previously and inquiry elicited the information that the practice of leaving baggage thus was the usual one.

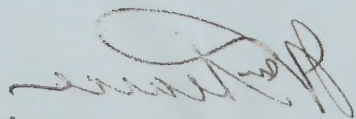
Luckily

Robert Kerr, Esq.,
Traffic Manager,
C. P. Ry. West,
Winnipeg.

1881

would support me without
 further damage to either
 but it might have been
 spread a bit to promote
 further spread of reform
 could not be helped.
 I think you are right
 to mention it to secure
 kind of a claim to the
 position of reformer
 or private business but it
 would be
 to secure it but not
 but you are not in a
 position to say as
 much as I can say here, so
 I hope you will not
 be at home at last

is
 I am obediently yours


 Wm. Lloyd Garrison

Luckily my baggage was neither damaged or stolen but it might have been and among it I had a large number of papers which could not be replaced.

Thinking you may not be aware of the custom of your officials at that point is my reason for writing this, had intended doing so long since.

Have had the pleasure of an introduction to you but as you may not remember me, might refer you to your Mr. M. Taurish and J. M. Egan.

I have the honor to be,

Sir,

Your obedient servant,

Wm. H. H. H.

Capt. of Hines

Ottawa, 25th January, 1886

Dear Sir,

There are several files here of which I see no necessity to make N. W. Files, and have concluded that the better way was to return them to your office with a memorandum showing what I considered the best action in each case. From such memoranda the necessary instructions can be issued from your office and thereby the record in your office be kept complete.

H. H. Smith Esq.,
Commissioner of
Dominion Lands,
Winnipeg,
Man.

Yours very truly,

W. Pearce

Uttawa, 22nd January, 1886

Dear Sir,
 There are several files here
 of which I see no necessity
 to make W. H. Filer, and
 have concluded that the better
 way was to return them to
 your office with a memorandum
 showing what I considered the
 best action in each case. From
 such memoranda the necessary
 action can be taken from
 your office and thereby the record
 in your office be kept complete.
 Yours very truly,

W. H. Filer

W. H. Filer
 Commissioner
 Registrar
 Winnipeg

26th January 6.

Memorandum for Commissioner to be attached to C.O. file N^o 44521 and forwarded him.

Suggest H. Stanley Pinholm be written to stating in reply to his of the 17th ultimo, that Superintendent Pearce states he thinks if the Nelson Brothers are permitted to acquire title to all of the S.W¹/₄ of Sec. 31. 10. 27 10. 4th, except the southerly 10 chains they will not interfere in any way with the house, stable and corrals which are on the same ¹/₄ section and owned

20 January 1858

Memorandum for Committee
to be attached to the
file #4521 and forwarded
here.

Supposed H. Stanley Smith
be written to stating in
reply to his of the 17th inst.
that Superintendent Jones
states he thinks if the
Labor Brothers are permitted
to acquire title to all of the
land of sec. 31. 10. 27. 104, except
the southern 10 chains they
will not interfere in any
way with the horse, stable
and corals which are on
the same section and
owned

858

covered by the City Bonds.
 Further the Liberty State
 when they settled on said
 # section. They were not aware
 they were settling on the
 City Bonds, nor is it
 probable your company
 agent knew whether they
 were on said lands or not.
 That it is in the public
 interest that these squatters
 claims should be removed
 amicably if possible, and
 as these squatters by so
 occupying the land
 of this # section are not
 depriving your company
 of any valuable place nor
 land valuable for its use
 it is hoped you will see
 your way clear to accede
 to this request.

owned by the Apley Rancho.

Further the Nelsons state when they settled on said $\frac{1}{4}$ section, they were not aware they were settling on the Apley Rancho, nor is it probable your Company's Agent knew whether they were on said lease or not.

That it is in the public interest that these squatter claims should be arranged amicably if possible, and as these squatters by occupying the northerly $\frac{3}{4}$ of this $\frac{1}{4}$ section are not depriving your company of any watering place nor land valuable for its hay it is hoped you will see your way clear to accede to this request.

822

#3

It may be that on reference
to the Minister he may
~~decide~~^{elude} the public interest
sufficient to warrant the
notice being given cancelling
a portion of the land as
provided in your lease.
Another plan^{ea} urged by
squatters is, ^{as} few lease-
holders have complied with
terms of lease therefore
Minister is at liberty to grant
such entries in those hold-
ings he may see fit.

W. Pearce

It may be that our reference
 to the Minister be made
~~in the~~ the public interest
 sufficient to warrant the
 notice being given concerning
 a portion of the land as
 provided in your lease.
 Another ~~plan~~ ^{plan} proposed by
 another is ~~as~~ ^{as} few lease.
 holders have complied with
 terms of lease therefore
 Minister is entitled to grant
 such notices in these lands.
 and the way see fit.

W. Lawrence

35th January 6.

Memorandum to be attached
to C.O. file 44,934 and sent
C. office.

In answer to Thompson
state that so far as his
son's 1/4 section, the SW 1/4 is
concerned he has been per-
mitted to take both sides
of High River. That he was
given ample opportunity
to file all the evidence in
support of his claim he
wished. At his request a
subpoena was served on
the party contending with
him to give his son an
opportunity of cross
examining

2-10-08
J. J. J.

Memorandum to be attached
to D. O. file #89,44 and sent
to office.

In answer to Thompson
state that so far as his
case is concerned, the D. O. is
concerned he has been per-
mitted to take both sides
of this case. That he was
given ample opportunity
to file all the evidence in
support of his claim. He
was heard. At his request a
subpoena was issued on
the party contending with
him to give his son an
opportunity of cross
examining

examining him, that all
 the facts as presented by
 both sides was fully con-
 sidered and decision given.
 That in a growing country
 it was advisable that as
 one party should be per-
 mitted to control both sides
 of a river, it being desirable
 that on account of stock
 as many as possible should
 have access to the water.
 That your son being per-
 mitted to retain the whole
 of the lot of 10, will enable
 you to obtain the access
 to section 9 for so much
 as desired.

examining him, that all the facts as presented by both sides was fully considered and decision given.

That in a grazing country it was advisable that no one party should be permitted to control both sides of a River, it being desirable that on account of stock as many as possible should have access to the water.

That your son being permitted to retain the whole of the S.W⁴ of 16, will enable you to obtain the access to section 9 you so much desire.

825

791

129

23rd January 6.

Memorandum for Commis-
sioner to be attached to B.O.
file No. 44210 mailed with
it to B.O. office.

As this land is not of
much more than ordinary
value, and is valuable
only as agricultural land,
recommend entry be granted
him.

If approved it will be
necessary to instruct Agent
to set apart in same town-
ship an equal area of some
other even section unclaimed
as School lands, and ad-
vise H.O. of action.

23rd January 1888

Memorandum for Committee
 to be attached to D.O.
 file 1844210 related with
 it to D.O. office.

As this land is not of
 much more than ordinary
 value and is valuable
 only as agricultural land
 recommendation entry be granted
 there.

If approved it will be
 necessary to visit the spot
 to set apart in same town.
 ship an equal area of some
 other new section unclaimed
 as school lands, and ad.
 vice H.O. of action.

792

25th January 6.

Sir,

On the 20th December, I telegraphed from Humbolt to your agent at Moose Jaw, (and prepaid said message) to secure for me two lowers from Du Appelle to Winnipeg by train which left Moose Jaw on the following Tuesday night the 22nd and also to answer me at Touchwood Hills. My object in asking for an answer at Touchwood Hills was that thinking it possible there might be no sleeper on Tuesday night and one on Wednesday, I would not push on so rapidly and meet the Wednesday night.

Robt. Kerr, Esq.
Freight & Passenger Manager,
C. P. Ry. West,
Winnipeg, Man.

828

right - train

I received no answer at
 Lockwood Hills, nor were
 there any letters received
 for me.

Believing it to be in the
 interests of the travelling
 public that such action
 should be referred to the
 proper officers is the reason
 of this being sent you.

Thank the favor to be.

Sir,

Yours obedient servant,

Wm. L. ...
Sept.

night train.

I received no answer at
Loughwood Hills, nor were
there any berths reserved
for me.

Believing it to be in the
interests of the travelling
public that such action
should be referred to the
proper officers is the reason
of this being sent you.

I have the honor to be.

Sir,

Your obedient servant.

Wm. Pearce

Esq.

Memorandum.

You will notice that my observations, dated the 26th ult., written diagonally across the letter addressed to the Agent, agree substantially with the report of Homestead Inspector ^{James} ~~Clarke~~ with reference to Sharples' affidavit that he took up this land ignoring that it was a school section.

This is a case in which I think Sharples' claim should not be recognized. It is purely a case of grab. To me it is evident that he knew it was a school section.

W. P.

Ottawa 26th Jan'y. 1886.

C. O. W. 2322

Memorandum.

I have well noted that my answer -
 volume, dated the 20th, was
 disapproved of by the latter
 addressed to the Agent, agree
 substantiated with the report
 of ~~James~~ Inspector Clarke
 with reference to Charles' affi-
 davit that he took up his
 land claiming that it was
 a school section.
 This is a case in which
 I think Charles' claim should
 not be recognized. It is purely
 a case of fraud. To me it is
 evident that he knew it was
 a school section.

W. J.

Ottawa 25th Jan'y 1886.

Memorandum.

re certain lots at Battleford.

As to gone lots containing about 75% of the area of ordinary lots I would recommend that they be sold at the ordinary upset price; as to those containing less than between 50% & 75% I recommend they be sold at half the upset price, and those below 50% in area at one third the upset price.

The Agent however should exercise care that he does not allow parties purchasing those gone lots to monopolize ~~them~~ or ^{in any way} to prevent reasonable access to the river, that is; should there now be any trails down to the river and a road cannot readily be laid down the streets as established it would be advisable for him to reserve, for the present at least, any lots close to the river over which such trails run.

N.P.

Ottawa, 26th Jan'y. 1886.

Ottawa, 25th Jan. 1886.

W.D.

over which each family runs.
allowing any but close to the river
for him to reserve, for the present
estimated it would be advisable
to limit down the streets as
river and a road cannot read
any to any level down to the
to the river, that is, should the
to prevent reasonable access
one lot to ~~any~~ ^{any way} ~~any~~ or
allow further purchasing there
expense case that he does not
The Government however should
third the upper price.

re certain lots at Battleford.

Memorandum.

795
C. O. File 35444

Memorandum,
This case arose in the following manner: -

When Col. Dennis was Deputy Minister, he visited the North West in 1881 and ~~there~~ met a Dr Lundy of Galt, at Minnedosa. Lundy wished to purchase some lands in the Turtle Mountain District and Dennis gave him a letter to the Agent describing certain lands which would be for sale and telling the Agent that as soon as he, Dennis, reached Ottawa, regulations concerning the sale of those lands would forthwith be sent and that in the meantime he, the agent, could accept Dr Lundy's application.

By some oversight Col. Dennis in describing the lands which would be open for sale encroached about two miles on the southerly limit of the 24 mile belt of the C. P. R.

There was considerable delay about carrying out the

20. 7. 32 H H H H

The case arose in the following

taken Col. Thomas was Deputy
 Minister. He visited the North
 West in 1881 and then met a
 Dr. Murphy of Salt Lake, at Minneapolis.
 Murphy wished to purchase some
 lands in the Little Mountains
 District and Thomas gave him
 a letter to the agent observing
 certain lands which would be
 for sale and telling the agent
 that as Governor he, Thomas, re-
 ceived Ottawa regulations con-
 cerning the sale of these lands
 would further to be sent and
 that in the meantime he, the
 agent, would accept Dr. Murphy's
 offer.

There was some delay about carrying out the
There was some delay about carrying out the
24 mile back of the C. P. R.
on the forty four miles off the
crossed about two miles
would be open for sale in
in the building the lands which
If some oversight at the same

829

the sale to himself, and of assigning
 to his appointment which money
 claimed to have been turned by
 reason of the letter of demand
 it was decided eventually to
 sell him the two following
 sections: 23-1-1-2-1-23 West
 and 23-1-2-1-23-1-24 West
 which sections he ^{has} ~~has~~ since
 assigned on receipt of C. P. R.

letter.
 You will notice that these
 two sections are in proximity to
 each other and very nearly
 outside of the 24 mile belt.
 The C. P. R. were notified that
 the Government having sold
 them, these sections could form
 a part of the land grant to
 that Company.
 It appears however that prior
 to the C. P. R. receiving this
 notification they had already
 sold two of the sections, namely:
 23-1-2-1-23-1-24 to the
 Chicago and North Western
 John, R. B.
 The question then arose as
 to how this matter could be
 straightened; the C. P. R. maintaining

the sale to Lundy, and, owing to disappointments which Lundy claimed to have sustained by reason of this letter of Dennis, it was decided eventually to sell him the three following sections: Sec 31 - Tp 5 - R 23 West, and Secs 25 & 35 - Tp 5 - R 24 West, which sections he ^{was then} ~~transferred~~ ^{applied for} immediately on receipt of Col. Dennis' letter.

You will notice that these three sections are in proximity to each other and very nearly outside of the 24 mile belt.

The C. P. R. were notified that the Government having sold them, these sections could form no part of the land grant to that Company.

It appears however that prior to the C. P. R. receiving this notification they had already sold two of the sections, namely: 25 & 35 in Tp 5 - R 24 to Messrs. Burlidge and Pugsley of St. John, N. B.

The question then arose as to how this matter could be straightened; the C. P. R. maintaining

29

maintaining that the Government should give them lands of equal value to the two sections sold Lundy, wherewith to satisfy Messrs. Burbridge & Pugsley.

Considerable delay ensued before this was finally carried out, but at no time did the C.P.R. lay claim for compensation by reason of the sale of Sec 31; and all the correspondence goes to show that had they not prior to notification by the Government sold Secs 25 & 35, they would willingly have acceded to the Government proposition, namely: That the 3 sections sold Lundy should not form part of the land grant.

It must be borne in mind that the C.P.R. had, through error, sold odd sections outside of their grant, in one or two cases nearly 40 miles from their line, and on notifying the Government of such sales wherever the lands have been found vacant they have been cheerfully handed over to the C.P.R.

maintaining that the Government
should give them lands of equal
value to the two sections but
strongly endeavoring to satisfy the
landless of the people.

Considerable delay ensued
before the war finally carried
out but at no time did the
C.P.R. lay claim for compensation
by reason of the sale of the St.
and all the correspondence over
to show that had they not been
to satisfaction by the Government
and at the 22d 32. They would
withstand have acceded to the
Government proposition, namely:
that the 3 sections sold should
stand out from part of the
land grant.

It must be borne in mind
that the C.P.R. had, through
various sold odd sections outside
of the grant, in one or two
cases nearly 40 miles from
the line, and on satisfying
the Government of such sales
wherever the land have been
found vacant they have been
cheerfully handed over to the
C.P.R.

828

Taking all the things into
 consideration I can see no
 ground whatever for accusing
 to Mr. W. T. Smith's report
 of the 29th volume, C. V. W.
 2008.
 J. W. Smith
 J. W. Smith

Taking all these things into
consideration I can see no
grounds whatever for acceding
to Mr. Mr. Tarrish's request
of the 29th ultimo, C. O. No.
50081.

Respectfully submitted
Wm. Pearce

99

File 49513

830

Memorandum.

The lands requested to be set apart, namely:— Townships 49 in Ranges 24, 25, 26, 27 & 28 containing in all 104 sections, and if we include, what I presume is intended, that portion of Townships 48 in Ranges 27 & 28 lying north of the ~~new~~atchewan River, there will be in all 115 sections; allowing a deduction of 4 for school sections there remain 108 sections or an area of 69120 acres. Assuming that not more than 1/3 of this can really be called timber lands the rest being ^{prime} swamps, lakes & ^{near by} lands, there remain 23,000 acres, of which allowing 20 acres of land to each homesteader, would give land enough for 1000 homesteads.

I presume that this petition is largely got up at the instance of the residence of Prince Albert ^{the town of} not really homesteaders but

There are not as present in the district probably more than 200 homesteaders who own engines & saws for many years ago, & all this time have given this back.

is occurring in that vicinity is
 that the timber is being taken.
 The fees collected from sections
 in the district for cutting wood are
 not very considerable.
 amounting for the year 1884 to only \$200.
 As at present no one has any
 interest in preserving the timber
 each man in that part goes and cuts
 wood where he can obtain it
 most readily. It is all our Government
 owned land, the result is that
 only the choice portions of the
 timber are cut & taken away.
 The rest is left lying on the ground
 and being fire & rotting
 not only what has been cut
 but in many cases what has
 been left rotting. If any
 steps can be taken to prevent
 this state of affairs, I think it
 would be better to do so, and
 we suggest that the Government
 at Prince Albert be instructed
 that an application be made
 in his district, whether a
 forester or not, that he
 should or should not be
 so or even of timber
 laws.

is occurring in that vicinity is that the timber is being taken.

The fees collected from settlers in this District for cutting firewood & building timber ^{which includes \$1.50 per cord,} ^{outside of the lumber} are not very considerable amounting for the years 1884 & 85 to only \$2500.

As at present no one has any interest in preserving the timber. Each individual goes and cuts wood where he can obtain it most readily. It is all on Government land, the result is that only the choice portions of the timber are cut & taken away; the rest is left lying on the ground, and forest fires ~~consuming~~ destroy not only what has been cut but in many cases what has been left standing. If any steps can be taken to prevent this state of affairs I think it would be better to do so, and would suggest that the Agent at Prince Albert be instructed that on application by any body in his district, whether a Homesteader or not, that he desires or wishes to obtain say 20 or even 40 acres of timber lands

830

the same will be granted by legal subdivisions or portions thereof. If 40 acre lots are required I would recommend that they be granted 10 chains frontage by 40 in depth fronting on the ~~for 20 ac. or less by 40 ac. or less~~ road allowance. Under the new system of surveys unless provision is made for right of way it will be necessary in one half the land that those lots be laid out East & West; the other half can be laid out either East & West or North & South as the applicants may choose. This arises from the fact that there is ~~East and West~~ a road allowance for every alternate section only.

This country being now surveyed parties can readily locate any 20 or 40 acres they wish on a section. Having done so the land is to be sold them at \$2⁰⁰ per acre, being the ordinary price for lands in that District.

It is to be presumed that when people obtain title to the land they will look closely after it and see that the timber is not destroyed.

I saw no reason why a party should not obtain 80 or even 160 ac. if he is prepared to pay for it in cash.

and see that the timber is not
 they will not chop off after
 people obtain title to the land
 It is to be presumed that when
 price for lands in that district
 \$200 per acre, being the ordinary
 the land is to be sold there at
 a pasture. Having done so
 any 20 or 40 acres they wish on
 next parties can readily locate
 This country being now sur-
 alternate pasture only.
 good allowance for every
 arises from the fact that there is
 applicants may choose. This
 that or both points on the
 half can be laid out either East
 laid out East & West. The other
 half the land that there is to be
 it will be necessary in one
 this is made for right of way
 system of runways under favor-
 good allowance. Under the new
 by 40 in depth fronting on the
 be granted of 10 chains frontage
 I would recommend that they
 thereof. If 40 acres lots are required
 by legal subdivision or partition
 the same will be granted

088

~~John Smith, Esq., Secretary of the~~

~~attracted~~ the timber in the north is not
by carderers and appears by
bearing fire.

by allowing the residents of
Paine Street to acquire timber
lands in the way ~~of~~

~~to be~~ ~~and further~~ ~~and will~~
to have the timber sold, and will
which I think is very desirable,
enable the Department to strictly
enforce in future all the timber
regulations, which has not
been done in the past.

[Signature]

I see no objection to any
other work in the timber
lands of the Department
of the Interior.

[Signature]

~~are manifesting in the continued being~~
 destroyed ~~and that~~
 the timber in the vicinity is not
 by carelessness endangered by
 prairie fires.

By allowing the residents of
 Prince Albert to acquire timber
 lands in this way ~~and~~
~~to prevent any further agi-~~
~~lation re timber dues, and will,~~
 which I think is very desirable,
 enable the Department to strictly
 enforce in future all the timber
 regulations; which has not
 been done in the past.

~~W.P.~~

I see no objection in any locality
 where wood is ~~not~~ plentiful to sell
 to settlers 20, 40, 80 or even 160 ac of land
 at the ordinary rate of other land,

W.P.

797
File 67020

31

831

Memorandum,
re Sidore Lafontaine.

On the 18th October, 1883, Sidore Lafontaine makes application - I presume at Prince Albert as the affidavit is in Gaurneau's handwriting, but is sworn to before Duck - in which he states that through error, in April 1882, he entered the SE $\frac{1}{4}$ of Sec 2 - 44 - 2 W of 3rd P.M. That when he did so he was ignorant of the conditions imposed by the Dominion Lands Act. He states that he has 20 acres under cultivation on the NE $\frac{1}{4}$ of Sec 35 - 43 - 2 W of 3rd P.M., and had had the improvements on this quarter section for at least 6 years, and that for the last 6 years he has been living on the N $\frac{1}{2}$ of Sec 30 - 43 1 W of 3 P.M.

He says he made his entry for Sec 2 under the idea that he could obtain a free patent for the N $\frac{1}{2}$ of Sec 30 - probably he thought the latter a claim similar

27050

Peru
to the Pacific

14th 3. Mr. [unclear] on the 14th of Dec 32. #3
for the last year he has been
for at least 3 years, and [unclear]
ments on the greater [unclear]
P.M., and [unclear] the [unclear]
on the 14th of Dec 32. #3 - 2nd of 3
has 20 acres under cultivation
lands etc. He states that he
time improved by the [unclear]
so he was [unclear] of the [unclear]
14th 3. Mr. [unclear] that when he [unclear]
entered the 3rd of Dec 32. #4 - 2
through [unclear] in April 1887, he
there - in which he states that
existing, but is [unclear] to [unclear]
affluent is in [unclear] & [unclear]
more at [unclear] [unclear] as the
fairer [unclear] of [unclear] - [unclear]
On the 18th October 1887 [unclear]

the thought the latter a chance
for the 1/2 of the 30 - undoubtedly
he could obtain a free patent
for the 2 under the idea that
he says he made his entry

similar to a Hamilton's Oak
 having as many more before
 survey. The order to be returned
 to the Secretary of the Treasury
 for the purpose of making an
 estimate of the value of the
 1/2 of the 30 and that he be
 allowed to purchase the 1/2
 of the 30 - 43 - 2 1/2 of 3 1/2. at
 the price of \$100 per acre.
 On the 22nd October, 1863,
 which encloses the official statement
 forwarded to the Treasury Office simply
 referring it for the action of the
 Government without making
 any comment thereon. It is stated
 that the office on 9th November
 and on 29th March is written
 to the effect that the Department
 request is granted except in
 sofar as the 1/2 of the 30 is
 concerned the price thereof
 is to be \$1200 per acre.
 On the 22nd February 1864,
 the Department writes the Minister
 that the land is in excellent
 condition for the purpose - and
 notes that 1/2 of the 30 be
 sold for a new low price

Similar to a Manitoba Act claim as he was there before survey. He asks to be allowed to abandon ~~his~~ entry for SE $\frac{1}{2}$ of Sec. 2 ~~as such~~, make entry as a homestead & preemption for the N $\frac{1}{2}$ of Sec 30 and that he be allowed to purchase the NE $\frac{1}{4}$ of Sec 35-43 - 2 N of 3 R.M. at the price of \$1⁰⁰ per acre.

On the 22nd October, 1883, Duck encloses the affidavit above mentioned to Head Office simply referring it for the action of the Government without making any comment thereon. It reached Head Office on 9th November and on 29th Duck is written to, telling him that Lafontaine's request is granted except in so far as the NE $\frac{1}{4}$ of Sec 35 is concerned the price whereof is to be \$2⁰⁰ per acre.

On the 22nd February 1884, Lafontaine writes the Minister, - the handwriting is evidently that of Rev. Father Touze - and asks that NE $\frac{1}{4}$ of Sec 35 be sold him at a very low price and

831

and that he be allowed to homestead the whole $N\frac{1}{2}$ of Sec 30, but as the $N\frac{1}{2}$ of 30 contains more than 160 acres his claim cannot be allowed to the extent of the whole $N\frac{1}{2}$. He goes on to say that he cannot make homestead entry, but why ~~he~~ ~~is~~ he is not very clear as from the Agent's report there does not appear to be any counter-claimant, and Mr Goodeve says his records here shew the land to be still vacant, so that I cannot see anything to prevent his getting an entry for the said $N\frac{1}{2}$ of 30, unless there may be a counterclaim for a portion of it.

On the 19th December, 1885, the Rev. Father Touze writes and now says it is 12 years since Lafontaine began residing on the Saskatchewan; but in 1883 the claimant said it was 6, which would now bring it to 8 years. He further says that Lafontaine enquired at the office at Prince Albert and.

and that he allowed to
 transferred the value $\frac{1}{2}$ of the
 30, but as the $\frac{1}{2}$ of 30 contains
 more than 150 acres his claim
 cannot be allowed to the extent
 of the whole $\frac{1}{2}$. He goes on to
 say that he cannot make more
 exact entry, but only ~~as~~
 is not very clear as from
 the agent's report the claim
 not appear to be any counter-
 claimant, and Mr. Justice
 says his records here show the
 land to be still vacant, so that
 I cannot see anything to prevent
 his getting an entry for the
 said $\frac{1}{2}$ of 30, unless there may
 be a counterclaim for part
 of it.

On the 19th December 1887
 the Rev. Father Large writes and
 says that it is 12 years since
 Lafontaine began recording on
 the Saskatchewan, but in
 1873 the claimant said it
 was a, which would mean
 being it to 8 years. He further
 says that Lafontaine entered
 at the office at Prince Albert
 and.

and was later by Mr. Black that
 he could not obtain entry as
 the land had been sold. The
 amount he mentioned as the fee-
 was here to not show that
 further, Black in his letter of
 22nd October, 1883, recommends
 that Lapham be allowed to
 purchase of 100 acres for \$12.30.
 Mr. B. Foster further says that
 Lapham was advised to take
 other land, but in the latter's
 affidavit he states that he made
 the entry because he supposed
 he would get \$12.30 as a fee
 patent. Foster says moreover
 that Lapham be allowed a
 homestead for the 100 acres com-
 pletely by him for 12 years. There
 is no reason why he should not
 get that provided compensation
 means residence. In fact he has
 been told repeatedly that so far
 as the \$12.30 is concerned,
 on which he has received he
 can get it on the terms he asks.
 The whole thing remains
 itself down to whether he
 should pay \$12.30 for \$12.30.

and was told by Mr. Duck that he could not obtain entry as the land had been sold. He must be mistaken as the records here do not show that, and, further, Duck in his letter of 22nd October, 1883, recommends that Lafontaine be allowed to homestead & preempt the N¹/₂ 30.

The Rev. Father further says that Lafontaine was advised to take other land, but in the latter's affidavit he states that he made the entry because he supposed he would get N¹/₂ 30 as a free patent. Father Touze now asks that Lafontaine be allowed a homestead for the 160 acres occupied by him for 12 years. There is no reason why he should not get that provided occupations means residence. In fact he has been told repeatedly that so far as the N¹/₂ of 30 is concerned, on which he has resided, he can get it on the terms he asks.

The whole thing narrows itself down to whether he should pay \$2⁰⁰ for N¹/₂ of 30

or

or get it at a less figure. As to whether he should get it at a less figure than that, it would depend on the nature & extent of his improvements and the date they were made, on which point there is not sufficient evidence here to warrant coming to a decision.

W.P.

or get it at a less figure. As
 to whether he should get it at a
 less figure than that, it would
 depend on the nature & extent
 of his improvements and the
 date they were made, or what
 point there is not sufficient
 evidence here to warrant
 coming to a decision.

W. J.

798

27th January, 1886.Memorandum

Re copy of letter & translation thereof
from Louis Schmidt to George Duck.

Have a file made of these papers
in the Commissioner's Office. for
They may be useful as a m-
for reference in connection with
the late Half Breed and Indian
Rebellion. The Minister has the
originals of these documents.

T. R. Burke, Esq.
Secretary of the
Land Board,
Winnipeg,
Man.

W. Pearce

27th January, 1886.

Memorandum

The copy of letter & translation thereof
from Louis Schmidt to George Dick.

Have a file made of the papers
in the Commissioner's Office. ~~for~~
They may be useful as a
reference in connection with
the late half breed and Indian
rebellion. The Minister has the
originals of these documents.

W. H. Brown

P. B. Brown, Esq.
Secretary of the
Land Board
Lynn
Mass.

833

certain himself would
 he not be more, services
 if permanently employed.
 Personally I know no-
 thing about him, and as for
 his hostess's sake I would
 be glad to do anything I
 could, but I fear that his
 chances are very slim
 for permanent employment.
 I am enjoying life very
 family but am very busy,
 yours very truly,
Stearns

W. B. Macdonald Esq,
 The London & Canadian
 Loan & Agency Co.,
 44 King St, West,
 Toronto,
 Ont.

833

Stearns
 Ottawa, 24th Jan'y. 1880.

My dear Macdonald,
 The people to whom
 you allude is a priest
 class officer, but he has
 one weakness or that
 is a very great one, name-
 ly: punctures for by
 through the abuse of which
 he once if not twice
 lost his situation in
 the Land Department
 in the last week, and
 the thing resolves itself
 into two, if so a temporary
 employment he cannot

884

884

27 January 6

Sir,

During my inspection of the Crown Timber office at Prince Albert in December last, I discovered that the recent disagreement between the Crown Timber Agent and the Forest Ranger of that district arose out of a horse owned by them in partnership and considering it advisable you should be aware of all the circumstances connected therewith and my time being as you know very limited was unable to go into the matter therefore

A. A. Smith, Esq.,

gaveCommissioner of
Dominion Lands.

Winnipeg.

Mam.

27 January

Sir,

During my inspection of the Crown Timber Office at Prince Albert in December last, I discovered that the recent disagreement between the Crown Timber Agent and the Forest Ranger of that district arose out of a case caused by them in partnership and concerning it. I advise you should be aware of all the circumstances connected therewith and my time being as you know very limited was unable to go into the matter therefore

Yours

A.A. Smith, Esq.

Commissioner of

the Dominion Lands.

Winnipeg.

Yours

gave the following memo
 to the Senior Timber Agent,
 requesting him to report
 fully thereon to you with-
 out delay which he promises.
 ad to do.

"Send statement of
 amount of disbursements
 for horse hire in all, also
 amounts & dates paid for
 horse owned by Mr. Thompson
 & Wagoner together. As of date
 & charge per day, also on
 what service. Full statement
 in all details about this
 transaction.

The copy of the letter
 from Wagoner to Mr. Thompson
 given by the latter to me,
 and by me handed you
 has some bearing on this
 matter.

This

gave the following memo to the Crown Timber Agent, requesting him to report fully thereon to you without delay which he promised to do.

" Send statement of amount of disbursements for horse hire in all, also amounts & dates paid for horse owned by Montgomery & Wagoner together. No of days & charge per day, also on what service. Full statement in all details about this transaction.

The copy of the letter from Wagoner to Montgomery given by the latter to me, and by me handed you has some bearing on this matter.

This

834

This letter will explain why
the Crown Timber Agent
sends you this statement
which I presume has been
received by you ere this.

I have the honor to be,

Sir,

your obedient servant.

This letter will explain why
 the Crown Timber Agent
 sends you this statement
 which I presume has been
 received by you as this.
 I have the honor to be,

Sir,

your obedient servant.

27th January 6.

Sir,

During my inspection of the Crown Timber Office at Prince Albert in December last, I discovered that the recent disagreement between the Crown Timber Agent and the Forest Ranger of that district, arose out of a horse owned by them in partnership and considering it advisable you should be aware of all the circumstances connected therewith and my time being as you know very limited was unable to go into the matter therefore gave the

H. H. Smith, Esq.,

following

Commissioner of
Dominion Lands,
Winnipeg,
Man.

27 January 6.

Sir,

During my inspection of
the Crown Timber Office at
Prince Albert in December
last, I discovered that the
recent disagreement between
the Crown Timber Agent
and the Forest Ranger of
that district, arose out of
a have caused by them in
partnership and consider-
ing it advisable for share-
holders of all the various
-stomies concerned there.
-with and my time being
as you know very limited
was unable to go into the
matter therefore gave the
following

J. H. Smith, Esq.,
Commissioner of
Dominion Lands,
Winnipeg,
Man.

following Memo. to the Crown
 Timber Agent requesting
 him to report fully thereon
 to you without delay which
 he promised to do.

"Send statement of
 amount of disbursements
 for these five in all, also
 amounts and dates paid
 for these owned by Govt.
 - - - - - and - - - - -
 together. He of day and
 charge per day, also on
 out of service. Full state.
 ment in all details about
 this have transactions.
 The copy of the letter
 from Wapover to Wapover
 given by the latter to me
 and by me handed you
 has some bearing on this
 matter.

this

following memo. to the Crown
 Timber Agent requesting
 him to report fully thereon
 to you without delay which
 he promised to do.

"Send statement of
 amount of disbursements
 for horse hire in all, also
 amounts and dates paid
 for horse owned by Mont.
 gomery and Wagoner
 together. No. of days and
 charge per day, also on
 what service. Full state-
 ment in all details about
 this horse transactions.

The copy of the letter
 from Wagoner to Montgomery
 given by the latter to me
 and by me handed you
 has some bearing on this
 matter.

This

3.

This letter will explain why the Crown Timber Agent sends you this statement which I presume has been received by you ere this.

I have the honour to be,
Sir,

your obedient servant,

Your obedient servant,
 Sir,
 I have the honour to be,
 by your order this.
 - some have been received
 statement which I pre-
 sent some of your this
 copy the same number
 this letter will explain

Manuscript 27th 1882

Sir

During my inspection of the Crown
Lumber Office at Chatham in Dec. last
I discovered that the recent disagreement
between the Crown Lumber Agent and the
Four Rangers of this district arose out
of a horse owned by them in partnership
and considering it probable you should
be aware of all the circumstances
connected therewith & my time being
so you know very limited, but not
was unable to get into the matter, I have
given the following Memo to the Crown
Lumber Agent, requesting him to report
fully thereon to you without delay which
he promises to do.

"Send statement of amount of
disbursements for horse hire in all, also
amounts & date prices for horse owned by
Burgess, & Wagner together, & of days &
charge for day, also on what service. Full
statement in all details about this horse
transactions"

The copy of the letter from Wagner to
Burgess given by the latter to me, & by me
handed you has some bearing on this matter.
This letter will explain why the
Crown Lumber Agent sends you this statement

J. H. Smith - Esq,
Comr. - Dist. Lands
Winnipeg
Man.

which I presume has been received
by you in this. If it has not
if you deem expedient to let me know
I have

Martha Jones

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above named matter. I have the honor to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
 Yours, very truly,
 J. M. Smith

"I have obtained of numerous
 disbursements for books since in 1811 also
 numerous other pieces for some years ago
 and for the purpose of the library. So of things
 large for my, also on other pieces. For
 statement in all details about this house
 "

The copy of the letter from Worcester to
 the Secretary of the Board of Education, dated 18th Nov.
 has been received. The letter contains a
 statement of the facts of the case, and a
 request that the Board should take
 steps to secure the removal of the
 children from the school. The Board
 has agreed to the request, and has
 directed the Secretary to take the
 necessary steps.

27th January, 6

Sir,

When at Prince Albert in December last in an interview with Mr. Montgomery he stated the Crown Timber Agent had been interested in certain lumber transactions from which owing to his position as an officer of the Government he should have abstained.

This matter had reference to taking to mill and having converted into lumber certain logs cut some years ago by one Daniel Cameron and left lying on the ground.

This

A. A. Smith, Esq.,
Commissioner of
Dominion Lands,
Winnipeg,
Man.

Wm. H. Smith, Esq.
 Commissioner of
 Damages & Lands,
 D. H. Smith, Esq.

This
 left Springfield on the ground.
 one Daniel Cameron and
 boys out some years ago by
 converted into lumber certain
 to taking to hills and leaving
 This matter had reference

should have obtained.
 officer of the Government he
 owing to his position as an
 lumber transactions from which
 had been interested in certain
 stated the Commissioner Agent
 with Mr. Huntsgary he
 December last in an interview
 when at Pine Bluff in

27th January, 1880

Barrow
 for number manuscript
 cutting. Barrow received
 got out of Bar. Cameron's
 "This details of all things
 he promised to do.
 Barrow without delay which
 him to write you fully
 Barrow's request
 I left him the following
 this about disbursement.
 of the transaction to meet
 just obtained enough out
 transaction and that he
 wished the money for this
 and Barrow's has for
 stated Barrow's of those
 to Mr. Rogers about it to
 the Department. He speaking
 has already been before
 it related to Cameron's
 This matter so far as

This matter so far as it related to Cameron's trespass has already been before the Department. On speaking to Mr Wagoner about it he stated Macdowell of Moore and Macdowell had furnished the money for this transaction and that he just obtained enough out of the transaction to meet his actual disbursements. I left him the following memorandum requesting him to write you fully thereon without delay which he promised to do.

"Give details of all timber
"got out re Dan. Cameron's
"cutting. Amount received
"for lumber manufactured.
Amount

836

"Amount paid Depart-
ment for dues and when paid.
Statement of what was done,
"with balance".

Time would not per-
mit me to personally in-
vestigate this matter and
took this means of obtain-
ing the information, which
I hope has reached you ere
this, and trust my action
will meet with your approval.

I have the honor to be,
Sir,

Your obedient servant,

"Amount paid deposit -
 "Rent for three and other paid
 "Statement of what was done
 "At the balance."

Time would not per-
 mit me to personally in-
 vestigate this matter and
 look for means of obtain-
 ing the information, which
 I hope has reached you by
 this, and that my action
 will meet with your approval.
 I have the honor to be,

Yours obedient servant,
 J. W.

837

27th January, 6.

Sir,

When at Prince Albert in December last in an interview with Mr. Montgomery he stated the Crown Timber Agent had been interested in certain lumber transactions from which owing to his position as an officer of the Government he should have abstained.

This matter had reference to taking to mill and having converted into lumber certain logs cut some years ago by one Daniel Cameron

H. H. Smith Esq,
Commissioner of
Dominion Lands,

and

Wm. J. Smith,
Solicitor

Commissioner of
Provisional Funds.

A. A. Smith Esq.

ago by one Daniel Cameron

and

converted into lumber as
to getting to sell and having
this matter had reference
have obtained.

The Government he should
position as an officer of
from which owing to his

certain lumber transaction
spent had been interested in
stated the Commissioner
with Mr. Montgomery he
remember last in an interview
when at Prince Albert in

27th January,

887

and left lying on the ground.
 This matter so far as it
 related to Cameron's papers
 has already been before the
 Department. The speaking
 of Mr. Rogers about it
 he stated the absence of
 Moore and Macdowell had
 furnished the money for
 this transaction and that
 he first obtained enough out
 of the transaction to meet
 his actual disbursements.
 I left him the following
 memorandum requesting
 him to write your fully there
 without delay which he
 promised to do.
 "Give details of all things got
 out of Mr. Cameron's custody
 amount paid for printing
 up to this. Amount received
 for transfer manuscript.
 Amount paid Department
 for

and left lying on the ground. This matter so far as it related to Cameron's trespass has already been before the Department. In speaking to Mr. Wagoner about it he stated Macdowell of Moore and Macdowell had furnished the money for this transaction and that he just obtained enough out of the transaction to meet his actual disbursements. I left him the following memorandum requesting him to write you fully thereon without delay which he promised to do.

"Give details of all timber got out re Dan. Cameron's cutting. Amount paid for bringing of logs to mill. Amount received for lumber manufactured. Amount paid Department
for

837

"for dues and when paid."
"Statement of what was done
"with balance".

Time would not permit
me to personally investigate
this matter and took this
means of obtaining the in-
formation, which I hope
has reached you ere this,
and trust my action will
meet with your approval.

I have the honor to be,
Sir,

Your obedient servant,

"For then and when said
Statement of what was done
with balance."

Time would not permit
me to personally investigate
this matter and look this
means of obtaining the in-
formation, which I hope
has reached your eye this
and that my action will
meet with your approval.
I have the honor to be,
Sir,
Your obedient servant,

Jan'y 6

Memorandum.On - C.O. File 50042

W.P.
I see no objections to reserving all at Battleford that is asked for by the Indian Department, but a great portion of it is comparatively worthless being very steep side hill.

In my Report on Battleford I recommended that all south of 5th street and between 3rd Avenue west and 1st Avenue East be reserved, and that reservation can be enlarged to any extent by extending it south of the Government town plot as surveyed.

W. Pearce

Copy 6

Memorandum.

Dr - C. O. File 50042

I see no objection to reserving all of Battleford that is asked for by the Indian Department, but a great portion of it is composed of unimproved land being very steep and hill. In my report to Battleford I recommended that all south of 3rd street and between 3rd and 4th street and 1st Avenue East be reserved, and that reservation can be enlarged to any extent by extending it south of the Government town plot as annexed.

W. J. H. H.

W. J. H.

838

28 January 6

Sir,

During my visit to Prince Albert last month by request of the Commissioner I made an inspection of the Crown Timber Office there and think it advisable this report should go through your hands as you will see it is far from being as complete as it should. Want of time to a very considerable extent is the cause of its incompleteness and to some extent it is caused by the manner the office is conducted, it being impossible

J. H. McDonald Junior Esq
 Inspector of Logskids
 Winnipeg }
 Man

for

28 January 82

Mr.

During my visit to Prince
Albert last month by re-
quest of the Commissioner
I made an inspection of
the Survey Division Office
there and think it ad-
visable this report should
go through your hands
as you will see it is far
from being as complete as
it should. I want of time to
a very considerable extent
is the cause of its incom-
pleteness and to some ex-
tent it is caused by the
manner the office is con-
ducted, it being impossible
for

J. A. Macdonald
Commissioner of the Survey
Division
for

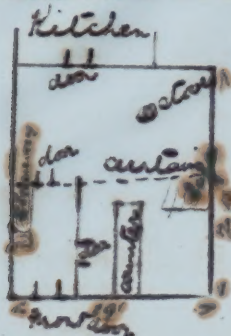
for the report; owing to want
 of system in many cases
 to furnish the information
 is possessed without cost.
 running a great deal of
 time, very much more than
 that of my disposal, &
 requested the report to send
 to the Commissioner inform
 ation on several points
 afterwards enumerated,
 which with what is now
 covered in this report will
 thus enable you to form
 a very fair idea of how
 his office is conducted.
 The office is 1974 the
 greater portion of the ground
 floor of the main part of
 his residence, one end
 of half story building
 from which has a kitchen
 in the rear. This is also
 to

for the Agent; owing to want of system in many cases to furnish the information he possessed without consuming a great deal of time, very much more than I had at my disposal, I requested the Agent to send to the Commissioner information on several points hereinafter enumerated, which with what is embraced in this report will I trust enable you to form a very fair idea of how his office is conducted.

The office is 19724 the greater portion of the ground floor of the main part of his residence, one and one half story building ~~from~~ ^{frame} which has a kitchen in the rear. This ^{the office} is also

to

to a considerable extent used as his living room and is illustrated by this diagram.



I think he stated the building and ground fencing and stable cost in all about \$2500.

Since the 1st of last September he has been allowed \$20⁰⁰ per month office Rent, prior to that for 4 months \$15⁰⁰ per month, prior to that \$10 per month. He states he burns about 25 cords of wood per annum.

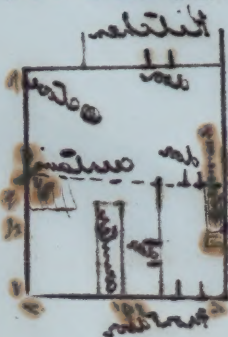
That he uses about 12 gallons of coal oil per annum, cost of same is \$1¹² per gallon.

That he is allowed \$5⁰⁰ per month for attendance.

I have given those items in detail so that you will be able to make whatever

comments

to a considerable extent used
 as his living room and is
 illuminated by this diagram.
 I think he stated
 the building and
 ground fencing
 and stable cost in
 all about \$2500.



Since the 1st of last Septem-
 ber he has been allowed
 \$200 per month office rent,
 prior to that for 4 months
 \$150 per month, prior to that
 \$10 per month. He states he
 burns about 25 cords of wood
 per annum.

That he uses about 12
 gallons of coal oil per annum.
 Cost of same is \$1.50 per gallon.
 That he is allowed \$8.00
 per month for attendance
 I have given these items
 in detail so that you will
 be able to make whatever
corrections

comment thereon for desire.
 This office was opened on
 the 1st September 1883 and up
 to the 1st December 1885 the
 number of letters sent: 1000,
 number received = 421.
 Of letters sent could find
 no index, after spending
 some time looking for it.
 The report stated the book
 not sent since he returned
 from the East about the 1st
 of June last, and had not
 missed it till I asked him
 for it, that he intended
 soon to enter up his index.
 The letters received are
 very badly indexed, he has
 not used his subject index.
 In letter register has
 not entered action, merely
 entered "quoted," or "replied"
 and on his file book entries
 in brown similar to register
and

comment thereon you desire.

This office was opened on the 1st September, 1883 and up to the 1st December 1885 the number of letters sent = 1050, number received = 421.

Of letters sent could find no index, after spending some time looking for it, the agent stated he had not seen it since he returned from the East about the 1st of June last, and had not missed it till I asked him for it, that he intended soon to enter up his index.

The letters received are very badly indexed he does not use his subject index.

In letter register does not enter action, merely enters "granted," or "replied" and on his file back enters in manner similar to register
and

838

and he makes as many separate files ^{as he has} of each letter, he might have a dozen letters from the same individual on the same subject; and he would have that many files and no way of tracing all the correspondence with any individuals or individuals without obtaining every file indexed under name of said individuals or individuals and reading them all through, and to obtain any particular letter entails an almost endless search.

In all his books the caligraphy is far from average, particularly the figures. When he grants permits he receives nothing on % and waits till permit is returned, then the amount of dues are paid.

Has

and be made as many as
 create files of each letter, be
 might have a dozen letters
 from the same individual
 on the same subject; and
 he would have that many
 files and a way of tracing
 all the correspondence with
 any individual or individuals
 without obtaining every file
 indexed under name of
 said individuals or indi-
 viduals and reaching them
 all through and to obtain
 any particular letter without
 an almost endless search.
 In all his books the
 bibliography is far from
 average, particularly the
 figures. When he prints
 permits he receives nothing
 out and wait till permit-
 is received, then the
 amount of time are paid.

888

has appeared great difficulty
in getting returned their
sums when they should
be sent him to forward
the Commissioner the fol-
lowing information.

Amount received since
opening of his office under
the following heads and
at the specified points.

Gift. Prince Albert

"

"

Free Permit

"

"

Timber dues

"

"

Wsp. number

"

"

Ground rent

"

"

Singles

Amount Total Dues is
less out of singles and
also received these amounts.

Back Book

This is kept in what I
thought a peculiar style
and requested him to send
the Commissioner specimen

of

Has experienced great difficulty in settlers returning their permits when they should.

I asked him to forward the Commissioner the following information.

Amount received since opening of his office under the following heads and at the specified points.

Bfd. Prince Albert

Free Permits	"	"
Timber dues	"	"
Mfg. lumber	"	"
Ground rent	"	"
Seizures	"	"

Amount Forest Rangers received on % of seizures and who received these amounts.

Cash Book.

This is kept in what I thought a peculiar style and requested him to send the Commissioner specimens

I

of the following pages of his Cash book to illustrate to you how the same is kept viz: pages 1, 17 and 32.

Also to send statement of the number of free permits issued and returnable on the 1st May 1885 and ~~no~~ such returned.

Also similar statement regarding permits subject to dues.

Also a statement of dates and amount of his remittances to Ottawa from inception of his office.

Further a statement of all arrears in his district.

These various items of information when received together with what has been furnished in this will I trust enable you to make a full report

on

of the following pages of his
 book to illustrate to
 you how the same is kept.

Page 1, 17 and 32.

Also to send statement of
 the number of per permit
 issued and returned on
 the 15 May 1880 and such
 returned.

Also similar statement
 regarding permits subject
 to duty.

Also a statement of date
 and amount of his permit
 to return to Ottawa from
 inspection of his office.

Further a statement of
 all surveys in his district
 these various items of
 information when received
 together with what has
 been furnished in this
 will be most valuable for
 to make a full report.

888

on this office
 I have all these papers
 on paper and handed some
 to Mr. Wagoner who promised
 to attend to them without
 delay.

All of which is respectfully
 submitted

I have the honor to be

Sir,

Your obedient servant.

Wm. L. Garrison
 Sept 27

on this office.

I wrote all these requests
on paper and handed same
to Mr. Wagoner who promised
to attend to them without
delay.

all of which is respect-
fully submitted.

I have the honor to be.

Sir.

Your obedient servant.

W. H. Lawrence
Capt.

807
28th January 6.

Sir,

Among the files in your office there may be found one from one Daniel Cameron concerning certain charges made against him for timber cutting trespass and in his communication I think he states he has a letter from the Crown timber agent in which he alleges said agent states he thought I had not treated him fairly or at least he told him so. I asked Mr. Waggoner to write me fully on this point

H. Smith, Esq.,
Commissioner of
Dominion Lands,

28 January 6.

Sir,

Command the files in
your office there may be
forward one from one
Daniel Cameron concern-
ing certain charges made
against him for timber
cutting trespass and
in his communication
I think he states he has
a letter from the Crown
timber agent in which
he alleges said agent
states he thought I had
not treated him fairly
or at least he told him so.
I asked Mr. Widdowson to
write me fully on this
point.

A. A. Smith, Esq.,
Commissioner of
Indian Affairs.

point and the enclosed
is the reply I received,
which to me appears far
from as satisfactory as
I should desire, however
on comparing it with
what Cameron states
you can judge whether
this matter should be
followed up or allowed
to drop.

I would however
suggest Cameron be
written to as I promised
him his communication.
You should receive ~~the~~
~~communication~~

I have the honor to be,
Sir,

your obedient servant,

Wm. L. Garrison
J. L. G.

point and the enclosed is the reply I received, which to me appears far from as satisfactory as I should desire, however on comparing it with what Cameron states you can judge whether this matter should be followed up or allowed to drop.

I would however suggest Cameron be written to, as I promised him his communication should receive due consideration

I have the honor to be,

Sir,

your obedient servant,

Wm. Pearce
Sept.

Sir

808 28th January 1877 177

Among the files in your office you will find one from our friend Cameron concerning certain charges ^{made against him} against him for ^{treason} & in his communication ^{I think} he states I think he has a letter from the Crown tendering a plea in which ~~he states~~ he alleges some facts which he thought I had not heard. I am fairly ~~sure~~ on at least the total basis of I think that you would be able to write me fully on this point - & the enclosed is the copy I received, which to me appears far from as satisfactory as I should desire, having compared it with what Cameron states you can judge whether this matter should be followed up or allowed to drop.

I would however suggest Cameron be written to as I promised him his communication should receive

I remain

W.P.

H. H. Smith
Genl. Sec. Land
Winnipeg

809

28th January, 6.

Sir,

During my visit at Prince Albert in December last Mr. Montgomery, Forest Ranger, showed me a letter from one W. T. MacLise, a solicitor of Prince Albert to him, enclosing a certain bill which Mr. Wagoner, Crown Timber Agent stated was due him and notifying Montgomery that if it were not paid shortly he was instructed by Mr. Wagoner to institute legal proceedings to enforce payment of the same.

A. H. Smith, Esq.,
Commissioner of
Dominion Lands,

Winnipeg,
Manitoba.

I

28 January, 1871.

Sir,
 Having just writ at Prince
 Albert in December last Mr
 Westgarney, Forest Ranger
 showed me a letter from one
 Mr. F. Macle, a solicitor of
 Prince Albert to him, enclosing
 a certain bill which Mr
 Hager, Crown Timber Agent
 stated was due him and
 copying Westgarney that
 if it were not paid shortly
 he was instructed by Mr
 Hager to institute legal
 proceedings to enforce pay-
 ment of the same.

Wm. H. Smith, Esq.
 Commissioner of
 Dominion Lands,
 Ottawa.

Then about proceeding to
 same, the Montgomerie being
 Prince Albert to defend the
 to come from Waterloo to
 him to considerable expense
 him greatly besides putting
 but it would inconvenience
 collect it any sort of tax;
 friend Rogers could not
 pay the same feeling con-
 himself, that he would not
 the Crown Jinks spent and
 great or quarrel between
 growing out of the danger-
 of "humped up" charges
 that this bill was a series
 Montgomerie further stated
 wish to make them. He
 any explanation he might
 copy of said account with
 to write you enclosing a
 I told Mr. Montgomerie

I told Mr Montgomery
 to write you enclosing a
 copy of said account with
 any explanations he might
 wish to make thereon. He
 Montgomery further stated
 that this bill was a series
 of "trumped up" charges
 growing out of the disagree-
 ment or quarrel between
 the Crown Timber Agent and
 himself, that he would not
 pay the same feeling con-
 fident Wagoner could not
 collect it any court of law;
 but it would inconvenience
 him greatly besides putting
 him to considerable expense
 to come from Battleford to
 Prince Albert to defend the
 same, he Montgomery being
 then about proceeding to
the

The former place in accordance with instructions from you and the suit could not take place for some months.

I afterwards saw the Crown Timber Agent and instructed him to send a copy of his bill against Montgomery to you with any report thereon he might choose to make, and ask for permission to institute such a suit, but in no case to initiate legal proceedings until he had received such permission from you. This he promised to do. I also notified Montgomery of what I had instructed Wagoner.

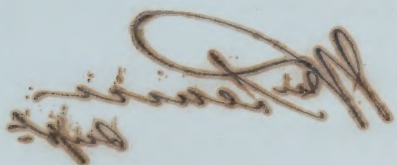
As you may remember I spoke to you about this
matter

The former place in as -
 cordance with instructions
 from your agent the bank
 could not take place for
 some months.

I afterwards saw the
 Governor of India spent and
 instructed him to send a
 copy of his bill against
 the Government to your agent
 and report thereon he might
 choose to make, and also
 for permission to visit
 such a suit, but in no case
 to initiate legal proceedings
 until he had received such
 permission from you. This
 he promised to do. I also
 notified the Government of
 what I had instructed
 him to do.
 I spoke to you about this
 matter

matter stating what I have
 done and this is best of all
 so that this action may be
 as full as your office.
 I have the honor to be,
 Sir,

Yours obedient servant,


 Wm. L. Garrison

matter stating what I had
done and this is sent you
so that this action may be
on file in your office.

Trusting my action
may meet with your approval.
I have the honor to be,
Sir,

Your obedient servant,

Wm. Lawrence
apt.

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29th January 6.

Sir,

By instructions of the Commissioner during my recent visit to Prince Albert I inspected the Dominion Lands Office at that place on the 16th December, 1885, and it is I think advisable that my report on it should be forwarded the Commis- sioner through you, so that you can make any observations thereon you choose.

The Agent Mr John McTaggart has had charge since the 1st January, 1885, seems to be a very painstaking individual

J. M. D. Gordon, Esq.
Inspector D. L. Agencies.
Winnipeg.

27 January 1880

Dear Sir,

By instructions of the
Commissioner during my
recent visit to Prince Albert
I inspected the Dominion
Lands Office at that
place on the 1st December, 1880,
and it is I think advisable
that my report on it should
be forwarded to the Commis-
sioner through you, so
that you can make any
observations thereon you
choose.

The report has been
referred to the Board of
since the 1st January, 1880,
seems to be a very satisfactory
individual

Wm. A. Barber, Esq.
Inspector of Land
Commissioner

individual, and I think
discharges his duty to the
utmost of his ability.
His assistant Mr. Lewis
Schmidt has occupied
his present position since
about May 1884. Neither the
agent nor his assistant
are officers who would be
able to successfully cope
with a mass of business
but the work of the office
is very light and they
are able to keep it well in
hand.

The office is an isolated
building size 14x20 one story
and is valued at \$2000 per
month rent for the same.
This office is owned by
First Banker Hartpouren
who also owns the building
house adjacent in which
the

individual, and I think discharges his duty to the utmost of his ability.

His assistant Mr Louis Schmidt has occupied his present position since about May 1884. Neither the agent nor his assistant are officers who would be able to successfully cope with a rush of business but the work of the office is very light and they are able to keep it well in hand.

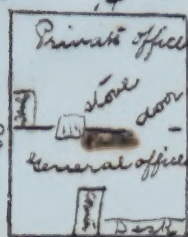
The office is an isolated building size 14x20' one story and is allowed \$20⁰⁰ per month rent for the same.

This office is owned by Forest Ranger Montgomery who also owns the dwelling house adjacent in which

the

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the agent resides, a fair sized dwelling, and he, Montgomery, informed me he received \$30⁰⁰ per month for the two ~~dwellings~~ ^{buildings}.

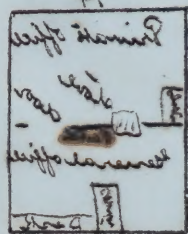


The annexed sketch shows how this office is arranged. It is very cramped in room for filing records and keeping the Registers. For fuel he states he is allowed 30 cords of wood per annum and \$5⁰⁰ per month for attendance.

He has about completed a new set of Townships Registers but in looking up a certain land case I discovered an omission, and found the new registers had not all been compared with the old. As requested by me he promised to compare them.

the report, besides, a fair
right dwelling and he, that
person, informed me he
incurred \$80 per month for
the two ~~months~~ ^{months}.

The annexed sketch
shows how this office
is arranged. It is very
cramped in room for
filing records and
keeping the registers.



For fuel he states he is allowed
30 cords of wood per annum
and \$80 per month for oil
troubles.

He has about completed
a new set of Township Registers
but in looking up a certain
land case I discovered an
omission, and found the
new registers had not all
been compared with the
old. As requested by me
he promised to compare
them

them fully both with the
old Register and also his
application Register. If
that is done carefully
there should then be no
omission.

The collating of the
I think it seems to be
all the clerical work of the
office is not so good as it
desirable; but probably
he does as well as he can.
This township Register of
records to be entered up to
date, having compared the
same in several cases with
his application Register
and also with of his books.
This application Register
is indexed.

Letter books both of these
sent and received indexed
to date.

The index of letters
received

them fully both with the old Registers and also his application Register. If that is done carefully there should then be no omission.

The caligraphy of Mr. Schmidt who seems to do all the clerical work of the office is not so good as is desirable; but probably he does as well as he can.

His Township Register appeared to be entered up to date, having compared the same in several cases with his Application Register and also stubs of receipt books.

His Application Register is indexed.

Letter books both of those sent and received indexed to date.

The index of letters
received

841

841

received is fairly kept; the subject index not however utilized to the extent it might, and he does not make his attachments under the best system, made several suggestions to him, among others the advisability of keeping all the correspondence with one individual and on one subject on the one file, and indexing both under name of subject. This he stated would be attended to without delay.

He keeps a general cash account also a cash book of sales, also a book showing remittances to H. O.

These are done by Agent himself and seems to be very well kept.

The cash received and
remitted

remained is fairly kept, the
subject under the various
things to the extent of
might, and the case not
make his attendance
under the best system, made
several suggestions to him,
among others the ability
of keeping all the
correspondence with one
individual and on one
subject on the one file, and
keeping both under name
of subject. This he stated
would be attended to
without delay.

He keeps a general cash
account also a cash book
of sales, also a book there.

and remittances to H.O.
These are done by deposit
himself and seems to be
very well kept.

The cash received and

remitted

remitted to H. O. was checked
and found correct.
All of which is most
respectfully submitted.

I have the honor to be.

Yours obedient servant
Sir.

Wm. L. Brown
Esq.

remitted to H. O. was checked
and found correct.

All of which is most
respectfully submitted.

I have the honor to be.

Sir,

Your obedient servant

W. Stearns
Capt.

Memorandum.

Herewith are three copies of map of Township 10, Range 25 West of the 4th. Principal Meridian. One copy is to be kept here, the other two are to be sent to the Commissioner's Office. One of these latter are to be retained by the Commissioner for reference and the other is to be forwarded by him to the Calgary Agent.

There accompanies these maps C. O. File 48003 being an application by Wheatley for homestead entry to N. E. $\frac{1}{4}$ of Sec. 14 in above township. Also accompanying is an application for homestead & pre-emption entry by Charles Watchler for W. $\frac{1}{2}$ of Sec. 14, an application for homestead entry by Ignatz Watchler to legal subdivisions 7, 8, 9, 10 of Sec. 15, and an application for homestead entry by Baptiste

Copy to
1881

Memorandum

Herewith are three copies of
map of Township 10, Range 22
West of the 4th Principal Mer-
idian. One copy is to be kept
here, the other two are to be sent
to the Commissioner's Office.
One of these latter are to be
retained by the Commissioner
as for reference and the
other is to be forwarded by
him to the Calgary agent.
There are also three
copies of D. O. Title 118003 being an
application by Whately for
homestead entry to N.E. 1/4 of
Sec. 14 in above Township. Also
accompanying is an ap-
plication for homestead &
preemptive entry by John
Whately for N.E. 1/4 of Sec. 14, an
application for homestead
entry by John Whately to
Legal Subdivision 5 & 6, 10 of
Sec. 15, and an application
for homestead entry by
Whately

Baptist House for 2. 24. 24 of
 Dec. 10, all in the same town.
 ship. These last three are
 plantations are not looked
 but are merely rather up
 with E. O. Dile 1800.

When I visited this town
 ship in August last year
 of these plantations could
 tell me what the land
 was they claimed, and not
 having a map of the town.
 ship, more at that date
 having been as yet furnished
 as the Baptist agent to the
 Commissioner, I was un-
 able to locate them. The two
 ships having in every
 arbitrary instance been
 destroyed or removed,
 and in many cases the
 monuments were also de-
 stroyed and the river bars
 missing.

These parties had spent
 but three more of them in
 advance of survey and they
 had paid little or no at-
 tention to the survey post.

081

842

Baptiste Boone for S. W. $\frac{1}{4}$ of Sec. 10, all in the same township. These last three applications are not backed but are merely rolled up with C. O. File 48003.

When I visited this township in August last none of these claimants could tell me what the land was they claimed, and not having a map of the township, none at that date having been as yet furnished the Calgary Agent or the Commissioner. I was unable to locate them, the tin disks having in every solitary instance been destroyed or removed, and in many cases the mounds were also destroyed and the iron bars missing.

These parties had squatted there most of them in advance of survey and they had paid little or no attention to the survey post.

To

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To still further confuse their river lots were surveyed in this township.

When there I told Wheatley to be sure and ascertain what quarter section he was on so that there would be no mistake in granting him his entry. I had not the time at my disposal to hunt up the surveyor's post. Wheatley told me his son had been on the survey of the township, and he would put himself in communication with him to ascertain exactly upon what quarter section he was. Not hearing anything from him, in November last I wrote him, as per draft on said C. O. File 48003, asking him also to be sure and ascertain where all the claimants were. His reply thereto is on said file. From what he states and my own knowledge I think that the portions

To still further confuse
 these river lots were an-
 nounced in this township.
 When there I told Whately
 to be sure and ascertain what
 quarter section he was in
 so that there would be no
 mistake in granting him
 his entry. I had not the
 time at my disposal to
 hunt up the surveyor's
 post. Whately told me his
 was had been on the survey
 of the township, and he
 would put himself in
 communication with
 him as certainly exactly
 upon what quarter section
 he was. Not hearing any-
 thing from him, in the
 winter last I wrote him
 as per draft on card C. D.
 file 18003, asking him also
 to be sure and ascertain
 where all the claimants
 were. This reply there is
 no card file. From what
 he states and my own
 knowledge I think that the
parties

portions of the accompanying
 ing plans entered in app-
 erate parcels, on which
 the name of the claimant
 appears, about seven or eight
 they are, or at least, what
 it would be advisable to
 grant them.

Whately states that he
 is on the 2.8. 1/2 of Dec. 23, 200
 that point I think he is
 mistaken, I think he
 will find if the lines are
 run that he is on the 2.8. 1/2
 and I would recommend
 seeing that he has settled
 since survey, that he be
 sold, subject to homestead
 conditions, all the 2.8. 1/2 of 20
 lying back and east of
 the Old Man's river. This
 parcel of land containing
 in all 220 acres, and the
 price to be paid for same
 to be \$1.75 per acre cash but
 payment not to issue till
 he has complied with
 said homestead conditions.
 This is in conformity with

what

portions of the accompanying plans colored in separate parcels, on which the name of the claimant appears, about covers what they ask, or, at least, what it would be advisable to grant them.

Wheatley states that he is on the S.E. $\frac{1}{4}$ of Sec. 23; on that point I think he is mistaken, I think he will find if the lines are run that he is on the S.W. $\frac{1}{4}$ and I would recommend, seeing that he has settled since survey, that he be sold, subject to homestead conditions, all the S. $\frac{1}{2}$ of 23 lying South and East of the Old Man's river, this parcel of land containing in all 320 acres, and the price to be paid for same to be \$1²⁵/₁₀₀ per acre cash but patent not to issue till he has complied with said Homestead conditions. This is in conformity with what

842

what has been decided to carry out in respect to all settlers on odd sections settled there prior to my visit last summer, which seems to have been the first time they became aware that odd sections in that vicinity were not eligible for homestead entry.

Should Wheatley however object to take the 220 acres either the S. $\frac{1}{2}$ of the S. $\frac{1}{2}$ of that section lying east of the river, or the N. $\frac{1}{2}$ of the S. $\frac{1}{2}$ lying east of the river might be sold to him. Should he on notification however persist in his contention that he is on the S. E. $\frac{1}{4}$ I see no reason why that should not be sold him at the same figure if he so desires; but I suggest that the Agent be instructed to notify him of the doubt which exists in my mind.

You will notice, in his application

what has been decided to
 carry out in respect to all
 letters on road sections
 settled there prior to my
 visit last summer, which
 seems to have been the first
 time they became aware
 that road sections in that
 vicinity were not eligible
 for homestead entry.

Should Wheatley have
 ever agreed to take the 200
 acres either the 200 of the
 200 of that section lying
 east of the river, or the 200
 of the 200 lying east of the
 river might be sold to him.
 Should he be notified
 however present in his
 contention that he is in the
 200 I see no reason why
 that should not be sold
 him at the same figure
 if he so desires; but I sug-
 gest that the agent be in-
 structed to notify him of
 the doubt which exists in
 my mind.
 You will notice, in his
application

application on the file, he
 asks for entry for the 21st
 of Dec. 11. I presume that
 a letter from him to the
 agent stating that he is
 visiting and wishing
 that changed for a portion
 of Dec. 22, will be sufficient
 authority for the agent to
 grant him entry without
 exhibiting as him a per-
 missive visit to the land of
 his at Calgary which
 would have very expensive.
 That however the same
 measure is best principle
 of and will save the
 necessary instructions
 to the agent.
 Charles Webster of
 this to forward the
 21st of Dec. 11 and to pre-
 sent the 21st of Dec. 11.
 Application is perfectly
 regular and is enclosed
 herewith; I recommend
 that it be granted in as far
 as the Government is con-
 cerned; but that his presence

application on the file, he asks for entry for the N.W. $\frac{1}{4}$ of Sec. 14. I presume that a letter from him to the Agent stating that he is mistaken and wishing that changed for a portion of Sec. 23, will be sufficient authority for the Agent to grant him entry without entailing on him a personal visit to the Land Office at Calgary which would prove very expensive. That however the Commissioner is best judge of and will issue the necessary instructions to the Agent.

Charles Watchter applies to homestead the S.W. $\frac{1}{4}$ of Sec. 14 and to pre-empt the N.W. $\frac{1}{4}$. His application is perfectly regular and is enclosed herewith; I recommend that it be granted in so far as the homestead is concerned; but that his preemption

be

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be confined to that portion of the quarter section lying south of Old Man's River.

Ignatz Watchter applies for a homestead entry for Legal Subdivisions 7-8-9 & 10 of Sec. 15. As he was there in advance of survey and as his application will not, I think, interfere with any improvements claimed by Dougherty I recommend that it be granted.

— Dougherty — When I visited this township Mr. Dougherty was not at home. I left word with his wife as to the object of my mission, and suggested that it would be advisable that Mr. Dougherty on his return he being expected home in a few hours should follow me down the river and I would then take any application he wished to make with reference to his land. He did not do

be confined to that portion
of the quarter section lying
south of Old Man's River.
I want that the office
for a homestead entry
for legal subdivisions
1-2-3-4-5 of Sec. 15. As he was
there in advance of survey
and as his application
will not, I think, interfere
with any improvements
claimed by himself I
recommend that it be
granted.

— Request — When I visited
his township the township
was not at home. I left
word with his wife as to
the effect of my mission,
and suggested that it would
be advisable that Mr. Langford
on his return be brought
before me in a few
days. Should follow me
down the river and I
would then take any ap-
plication he wished to
make with reference to
his land. The chief way to

as however: consequently
 I am accountable in the
 least as to what he wishes
 He is a good writer and
 was there in advance of
 money, and I recommended
 if he desires, that he be al-
 lowed to transact that
 part of the bookkeeping
 business of the lying east
 of West River; and
 that he be allowed to
 present legal subdivisions
 1-2 and that part of 3 lying
 east of West River
 in Dec. 18.
 I would suggest that
 the agent be requested to
 make a small tracing
 covering that portion of
 the map, across which
 line, and send it to
 Georgetown asking him if
 that suits him, if it does
 that he will be granted
 entry in accordance
 with this recommendation.
 I have marked formal
 application. I presume
 the

so however: consequently
I am somewhat in the
dark as to what he wishes.
He is a good settler and
was there in advance of
survey, and I recommend,
if he desires, that he be al-
lowed to homestead that
part of the Northerly 25
chains of Sec. 10 lying east
of Old Man's River; and
that he be allowed to
preempt legal subdivisions
1-2 and that part of 3 lying
east of Old Man's River
in Sec. 15.

I would suggest that
the Agent be requested to
make a small tracing
covering that portion of
the map colored dark
blue, and send it to
Dougherty asking him if
that suits him, if it does
that he will be granted
entry in accordance
with this recommenda-
tion upon making formal
application. I presume
he

he might also be told that to save the expense of a trip to Calgary, an application to the Land Board permission will be given to any one he may name to make the necessary entry for him.

As to Baptiste Roone's claim Wheatley states that he is on the S. E. $\frac{1}{4}$ of Sec. 10: I am rather inclined to think that he is on the S. W. $\frac{1}{4}$. Roone in his application before me made application for the S. W. $\frac{1}{4}$; but, as already stated, not having a map of this township with me, I was not at all certain where the limits of this section lay. I think Roone should be written to by the Agent telling him that entry will be granted so soon as he is certain what quarter section he is on. If he is on the S. W. $\frac{1}{4}$ I will

recommend

he might also be told that
 to save the expense of a
 trip to Calgary, we are
 alternative to the same
 Board members will
 be given to any one he
 may want to make the
 necessary entry for him.
 As to the Board of Directors
 claim that they state
 that he is on the 2. 2. 14 of Dec.
 10: I am rather inclined
 to think that he is on the
 2. 2. 14. There is his off-
 alternative before me
 make application for
 the 2. 2. 14; but, as already
 stated, not having a copy
 of this correspondence with
 me, I was not at all
 certain where the limits
 of this section lay. I
 think there should be
 written to try the point
 telling him that entry will
 be granted as soon as he is
 certain what quarter
 section he is on. If he is
 on the 2. 2. 14 I will

recommenced

recommended that the be
 granted entry only to that
 portion of it east of the
 Old Kansas River. It may
 be that the well will be
 satisfied to take that
 small portion which
 contains so much in
 which case he might be
 granted the 2 1/2 or the 2 1/2
 of the 2 1/2 of sec. 10 as he de-
 sires lying east of the Old
 Kansas River.

There is a half-section
 and is not likely to
 make a first class oil
 well.

This application is
 for the 2 1/2 1/4. If that is
 not the greater section
 he is no I presume it
 can be changed at his
 request without need
 visiting a new applica-
 tion. However as that point
 the Commissioner may
 act as he deems best.
 This recommendation
 is written out to enable
 the

recommend that he be granted entry only to that portion of it east of the Old Man's River. It may be that he will not be satisfied to take that small portion which contains 62 acres, in which case he might be granted the N. $\frac{1}{2}$ or the S. $\frac{1}{2}$, of the S. $\frac{1}{2}$ of Sec. 10 (as he desires lying east of the Old Man's River.

Boone is a half-breed, and is not likely to make a first class settler.

This application is for the S. W. $\frac{1}{4}$, if that is not the quarter section he is on I presume it can be changed at his request without necessitating a new application. However on that point the Commissioner may act as he deems best.

This memorandum is written out to enable
the

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the commissioner to issue
such instructions as
will settle the claims
of all squatters in this
township.

The Government to issue
such instructions as
will settle the claims
of all squatters in this
territory.

confidential

copy.

812 199

843

2nd February, 1886.

4299855
on
73418

Memorandum.

I find files 73418 and 76820 tied together. The answer to both the applications of Johnston + Starr is attached to the former, and it says that Mr Johnston's case will be brought to the attention of the Commissioner.

I have read over Mr Johnston's letter carefully and have known the gentleman for some years, and to day have learned. but I cannot vouch for the truth or the falsity of the same. that he is now an inmate of a lunatic asylum. Mr Fortescue, of the Mounted

Police

Caribbean

848

copy

199

2nd February 1880

Memorandum

1880
81482

I have read over the
attention of the Commissioner
case will be brought to the
and it says that the
+ that is attached to the
both the applications of
and together. The answer to
I find files 81482 and 81483

for the truth or the falsity of
learned. but I cannot vouch
some years, and to day have
known the gentleman for
better carefully and have

Police

Police Branch, informs me that
he was told as in response to
short time since.

His informant in his letter of
the 2nd October last, gives seven
reasons why he should obtain
a free patent for his invention
without doing any further
research thereon.

There will be no more research:

1st. It is possible that he has
done more than many others,
but there is no evidence on the
file to show what the amount
of improvement are. The refusal
as to the Bureau's return
but they are too vague from
which to form an opinion.
2nd. If for two years before
the Land Office was opened

he

Police Branch, informs me that he was told so in Regina a short-time since.

Mr Johnston in his letter of the 2^d October last, gives seven reasons why he should obtain a free patent for his homestead without doing any further residence thereon.

These will we answer seriatim:

N^o 1. It is possible that he has done more than many others, but there is no evidence on the file to show what the amount of improvements are. He refers us to the Surveyor's returns but they are too vague from which to form an opinion.

N^o 2. If for two years before the Land Office was opened

he

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he complied with the homestead requirements of the Dominion Lands Act his time can count as he says he wishes it.

123. I think it possible that his time as scout for the Mounted Police should count as homestead residence. Mr. White tells me his duties were in the secret service and occupied, as Mr. Johnston states, over six weeks. As for his duties when on the transport service he must be treated the same as others. If others are allowed their time Mr. Johnston should be allowed his. However, I can see no reason why anyone on transport service should be allowed

he complied with the requirements of the Dominion
 Bonds Act, his time can count
 as he says he wishes it.
 He thinks it possible that
 his time as agent for the
 Mounted Police should count
 as domestic residence. His
 activities as his duties were
 in the local service and so
 unpaid, as his position states,
 over six weeks. As for his
 duties when on the transport
 service he must be treated
 the same as others. If other
 are allowed their time his
 position should be allowed
 his. However, I can see no
 reason why anyone on board
 post service should be allowed

to want such service as residents
 on a household, being that
 the remuneration received
 was most liberal.

1894. This is purely a legal
 matter which this Department
 has no power to decide. If the
 Department of Agriculture
 say he is entitled to such
 pension he will obtain it;
 if they say he is not entitled
 to pension it is not the duty of
 this Department to interfere.

1895. He states that about 8
 years ago he bought the rights
 of three half-breds, namely,
 Sam, John, and Mary, and
 Joseph, and after he
 "gave applications for their
 issue from the Department"
without

to count such service as residence on a homestead, seeing that the remuneration received was most liberal.

124. This is purely a legal matter which this Department has no power to decide. If the Department of Militia & Defence say he is entitled to scrip I presume he will obtain it; if they say he is not entitled I presume it is not the duty of this Department to interfere.

125. He states that about 8 years ago he bought the rights of three half-breeds, namely, Leon McKay, Sarah McKay and Joseph Lambert. " and after repeated applications for their issue from the Department, without

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"without even a reply, I asked
"Mr Witcher of Don. Sands,
"Winnipeg, who told me two of
"the parties had their names
"on supplementary list. On
"this I left the papers or deeds
"with Mr Witcher until such
"times as the Department
"saw fit to issue. This summer
"I went to Mr Witcher for the
"papers but they could not be
"found".

On that ground he asks
for a free patent. I suggest
that a copy of the above
quoted portion of his letter
be sent to Mr Witcher with
a request that he will report
thereon for the information
of the Minister.

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without even a reply & called
 the Whittier of Dover. I
 supposed, who told me two of
 the parties had their names
 on supplementary list: One
 then I left the papers or books
 with the Whittier until such
 times as the Department
 saw fit to issue. This summer
 I went to the Whittier for the
 papers but they could not be
 found.

On that ground he asks
 for a free patent. I suggest
 that a copy of the above
 quoted portion of his letter
 be sent to the Whittier with
 a request that he will report
 thereon for the information
 of the Minister.

It is not intended that this
 Department should act as
 agents for these people in their
 self transactions. If he left
 these documents with the
 utilities, I presume that
 the matter should be con-
 sidered between the parties
 themselves. Before taking any
 further steps however, it will
 be advisable to get the utilities
 report.

H. C. the speaks of having been
 13 years in that country he
 was for many years in the
 N. W. Police. There he was
 assistant to the Mayor, for
 some years, and the Police
 on Indian Reserve surveys,
 and he was also engaged

It is not intended that this Department should act as agents for those people in their scrip transactions. If he left those documents with Mr. Whitcher, I presume that the matter should be arranged between the parties themselves. Before taking any further steps however, it will be advisable to get Mr. Whitcher's report.

N^o 6. He speaks of having been 13 years in that country he was for many years in the U. W. M. Police. There he was assistant to Mr. Nelson, for some years, and Mr. Patrick on Indian Reserve Surveys, and he was also engaged on

on railway survey. For about a year he was engine driver on the C. P. R. having, I understand, before coming to the North West in the Mounted Police, served in that capacity on the Grand Trunk Railway.

Through living 13 years in the North West in that way, has he any right to exceptional treatment in regard to a homestead.

No. 7. As to loss of fencing, stabling, &c, his remedy is to send his bill for losses to the North West Rebellion Losses Commission, who will report in the matter.

Respectfully submitted

(sgd) W. P.

on railroad bumper. For about a
year he was engine driver on
the D. & R. Railroad, and
before coming to the North West
in the mounted police, served
in that capacity on the Grand
Trunk Railroad.

through lived 13 years in the
North West in that way, and he
was right to expect a pleasant
in regard to a home.

He is a man of fine standing,
and his remedy is to send his bill
for labor to the North West
Rebellion Loan Commission,
who will report in the matter.

Respectfully submitted

P. W. (ppa)

Memorandum.On H. O. File 103529.

In the first Dominion Lands Act of 1872, 35 Vic., Cap. 23, Sec 46, it is ^{recited} ~~vested~~ that in the subdivision of townships consisting partly of prairie & partly of timber lands, the timber land shall be reserved so as to be of the greatest possible use to the settlers; and shall be divided into 10 or 20 acre lots and one lot shall go to each prairie farm.

It further recites that neither the Hudson's Bay nor school sections shall be subject to that operation. It says that in cases where a quarter-section

was

Memorandum

On H. O. File 10322.

In the first Division Land
Act of 1872, 35 Stat. Cap. 23, Sec 4 it
is vested that in the subdivision
of township consisting partly
of prairie & partly of timber
land, the timber land shall
be reserved as to be of the
greatest possible use to the
settlement; and shall be divided
into 10 or 20 acre lots and one
lot shall be to each prairie farm.
It further recites that neither
the Timberland Act nor school
sections shall be subject to
that operation. It says that
in cases where a quarter section
is

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has not more than 20 acres of
wood it shall not be divided
into wood lots, but the wood
thereon shall be considered
as appurtenant to that quarter
section, and in the same
order that settlers shall ap-
ply for homesteads, the right
shall appertain to each
quarter section and adjacent
wood lot and such wood lot
shall be a free gift.

That Act now amended in

1874, 37 Vic, 4281, Cap. 19.

subsection 2 of sec 10 of the
later statute: the local right
as settlers shall apply for
homestead rights in the
township, and in the same
order as the same application
shall

has not more than 25 acres of wood it shall not be divided into wood lots, but the wood thereon shall be considered as appurtenant to that quarter section, and in the same order that settlers shall apply for homesteads, the Agent shall apportion to each quarter section an adjacent wood lot and such wood lot shall be a free gift.

That Act was amended in 1874, 37 Vic., Cap. 19.

Subsection 5 of Sec 10 of this latter states: The Local Agent as settlers shall apply for homestead rights in the township, and in the same order as the same applications shall

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shall be made, shall, if requested, apportion to each quarter section so applied for, one of the adjacent wood lots; and such wood lot shall be paid for by the applicant at the rate of one dollar per acre. This was to be paid for at the time entry for the home stead was made.

In the act of 1876, 39 Vic., Cap 19, section 18 provides that certain rights acquired under the act of 1872, shall be protected. although the act of 1874 really repeals that right. and in fact anyone who acquired a right under the act of 1872 shall have his right protected although the act of 1874 states
otherwise

shall be made, shall if re-
quested, application to each
quarter section be applied for
one of the adjacent wood lot;
and such wood lot shall be
paid for by the applicant.
At the rate of one dollar per
acre. This was to be paid for
at the time entry for the same.
which was made.

In the act of 1870, Chap. 18, Sec. 18 provides that certain
 rights acquired under the
 act of 1872, shall be protected.
 Although the act of 1874 really
 repeats that right, and in
 fact confers who acquired
 a right under the act of 1872
 shall have his right protected
 although the act of 1874 states

seventy

otherwise.

The next Act with reference
to timber is the Act of 1878, 42
Vic. Cap. 31, which is practically
a copy of the Act of 1876.

On this petition there are
three other copies to have made

in 15, 8781 in 4, 1871 in 1878, 21 in
1879 and 1 in 1880. The Township
affected being 10.11 & 12 in Range
14 & 15 West, contain little or no
timber. The southerly portion
of Township 10 may have con-
tained a little timber. Town-

ship 9 in Range 14 & 15 was
subdivided before 1878, & became
a township in 1873. & found
there is a good deal of scrub
in these townships although
I doubt whether there is much

wood

otherwise.

The next Act with reference to timber is the Act of 1878, 42 Vic., Cap. 31, which is practically a copy of the Act of 1876.

On this petition there are three who appear to have made entry in 1877, 45 in 1878, 21 in 1879 and 7 in 1880. The townships affected being 10. 11 & 12 in Ranges 14 & 15 West, contain little or no timber. The southerly portion of township 10 may have contained a little timber. Townships 9 in Ranges 14 & 15 was subdivided before 1878, I presume as long ago as 1873. I fancy there is a good deal of scrub in those townships although I doubt whether there is much wood

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wood therein.

However it will be noticed that no Lands Act ever provided giving wood lots except in townships already surveyed, those people claim wood lots in a township which was not surveyed, according to their own statement, till 1882; therefore I fail to see that they have any claim under the provisions of the Dominion Lands Act although they say they have. Probably, at the time these parties settled, if wood lots had been available, only a small percentage of them would have purchased owing to the fact that they were required to pay in advance for

wood therein.

There is no doubt that
 as much as ever provided
 living wood has kept in
 ships already sunk, that
 people claim wood for in a
 township which was not
 used, according to their own
 statement, till 1882; therefore
 fail to see that they have any
 claim under the provisions of
 the Dominion Lands Act.
 That they say they have.
 Probably, at the time their
 parties settled, if wood had
 had been available, only a
 small percentage of them
 would have purchased owing
 to the fact that they were
 required to pay in advance

for

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for such but
 the records of the Department
 will show that only a small
 percentage of letters have
 avoided the hands of the
 wood but private since they
 were required to pay for the
 same either at \$1.00 or \$2.00
 per case.

In July 1881 the price of
 Dominion Bonds was raised
 from \$1.00 to \$2.00 in Township
 and to \$4.00 in Township 10
 11. These regulations were not
 applied to some extent by the
 regulations of October following
 but so far as sales were con-
 cerned the bonds were sold
 at the above cited figure.
 better cannot expect to
obtain

for each lot.

The records of the Department will show that only a small percentage of settlers have availed themselves of the wood lot privilege since they were required to pay for the same either at \$1.⁰⁰ or \$5.⁰⁰ per acre.

In July 1879 the price of Dominion Lands was raised from \$1.⁰⁰ to \$5.⁰⁰ in Township 12, and to \$4.⁰⁰ in Townships 10 & 11. Those regulations were modified to some extent by the regulations of October following; but so far as sales were concerned the lands were held at the above cited figure.

Settlers cannot expect to
obtain.

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obtain timber lands at a less price than other lands would be sold for in the same locality. Therefore since July 1879 they could not expect to get wood lots at less than \$4⁰⁰ per acre.

In 1879 provision was made by which timber could be obtained by permits. Such a course was adopted largely to meet the cases where there was a large tract of land in a block having no timber on it, and so as to enable settlers therein to get timber at a nominal fee off vacant Dominion Lands most convenient to them.

Those settlers for a time, until 1882, took this timber without taking

obtain timber lands at a
 less price than other lands
 would be sold for in the same
 locality. therefore one fully
 1879 they could not expect to
 get wood lot at less than \$40
 per acre.

In 1879 provision was made
 by which timber could be
 obtained by permit. Such a
 corner was adapted largely
 to meet the case where there
 was a large tract of land in
 a block having no timber on it;
 and so as to enable settlers
 therein to get timber at a reasonable
 fee off vacant Dominion
 lands most convenient to them.
 These settlers for a time, until
 1882, took this timber without
 taking

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taking out permit or paying
 any fee. Since then the number
 regulations have been more
 strictly enforced, which,
 without doubt, has given
 rise to this petition

Respectfully submitted
 J. W. (1880)

taking out permits or paying
any fees. Since then the timber
regulations have been more
strictly enforced, which,
without doubt, has given
rise to this petition

Respectfully submitted
(sgd) W. P.

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File 79513.

Memorandum

The lands requested to be set apart, namely:- Townships 49 in Ranges 24, 25, 26, 27 and 28 containing in all 104 Sections, and if we include, what I presume is intended, that portion of Townships 48 in Ranges 27 and 28 lying north of the Saskatchewan River, there will be in all 115 Sections; allowing a deduction of 7 for School Sections there remain 108 Sections or an area of 69120 acres.

Assuming that not more than $\frac{1}{3}$ of this can really be called timber lands the rest being prairie swamps, lakes and brush and hay lands, there remain

Green River

The lands reported to be set
 apart, namely: - Township 48
 in Ranges 24, 25, 26, 27 and 28
 containing in all 104 sections,
 and if we include, what I
 presume is intended, that
 portion of Township 48 in
 Ranges 27 and 28 lying north
 of the Saskatchewan River, there
 will be in all 112 sections; allow-
 ing a deduction of 7 for school
 sections there remain 105 sections
 or an area of 52120 acres.
 Assuming that not more than
 1/3 of this can really be called
 timber lands the best being
 pine, spruce, larch and
 hard and dry lands, there
 remain

remaining 23,000 acres of land
 allowing an acre of land to
 each homesteader, would
 give land enough for 1000
 homesteaders. There are but
 at present in the district probably
 more than 100 homesteaders
 who have claims and need
 for many years require to
 obtain their feet from the
 land.

I presume that this petition
 is largely got up at the in-
 stance of the residents of the
 town of Prince Albert and
 really homesteaders. What is
 occurring in that vicinity is
 that the timber is being
 taken.

The fees collected from
the timber

remain 23,000 acres of which
 allowing 20 acres of land to
 each homesteader, would
 give land enough for 1000
 homesteaders. There are not
 at present in the district probably
 more than 500 homesteaders
 who now require and will
 for many years require to
 obtain their fuel from this
 tract.

I presume that this petition
 is largely got up at the in-
 stance of the residents of the
 Town of Prince Albert not
 really homesteaders. What is
 occurring in that vicinity is
 that the timber is being
 taken.

The fees collected from
Settlers

Settlers in this District which includes Battleford as well is cutting Redwood and building timber outside of lumber are not very considerable amounting for the years 1884 and 1885 to only \$2,888.67.

As at present no one has any interest in preserving the timber each individual goes and cuts wood where he can obtain it most readily. It is all on Government land, the result is that only the choice portions of the timber are cut and taken away; the rest is left lying on the ground, and forest fires destroy not only what has been cut, but in many cases what has been

been
 in many cases what has
 been found in the present
 is that only the choice
 specimens of the timber are cut
 and taken away. The rest is
 left lying on the ground,
 and for a long time past
 has been cut, but
 the timber is not
 so abundant as it
 was in the first
 timbered land.

been left standing. If a
 step can be taken to prevent
 this state of affairs, I think
 it would be better to do so,
 and would suggest that
 the Board of Public Education
 instruct that an application
 be made by the district,
 whether a board of education or not,
 that the money be given to
 obtain say 50 or 100 acres
 of timber land, the same
 will be granted by legal title
 divisions as public land.
 If 100 acres be required,
 I would recommend that
 they be granted to the
 State by the State
 for 50 acres 2 mi by 10
 miles.

been left standing. If any
 steps can be taken to prevent
 this state of affairs, I think
 it would be better to do so,
 and would suggest that
 the Agent at Prince Albert be
 instructed that on application
 by anybody in his district,
 whether a homesteader or not,
 that he desires or wishes to
 obtain say 20 or even 40 acres
 of timber lands, the same
 will be granted by legal sub-
 divisions or portions thereof.
 If 40 acre lots are required
 I would recommend that
 they be granted 10 chains
 frontage by 40 in depth
 fronting on the road all round
 for 20 acres 5 ^{chains} by 40 ^{chains}.

W. J. D.

Under the new system of
 survey & rules provisions is
 made for right of way it will
 be necessary in one half the
 land that those lots be
 laid out East and West;
 the other half can be laid
 out either East and West or
 North and South as the
 applicants may choose. This
 arises from the fact that there
 is an East and West road
 allowance for every alternate
 section only. I see no reason
 why a party should not
 obtain 80 or even 160 acres
 if he is prepared to pay for
 it in cash.

This country being now
 surveyed, parties can readily
locate

The new system of
 is a very simple provision
 for the right of way it will
 be necessary in one half the
 land that there has been
 laid out East and West.
 The other half can be laid
 out either East and West or
 North and South as the
 applicant may prefer. This
 arises from the fact that there
 is no East and West road
 allowance for every alternate
 section only. The no better
 than a partly shaded road
 which is prepared to pay for
 it in cash.
 This country being now
 unimproved, parties can readily
locate

local men do not want
 land as a business. Having
 more so the land is to be
 sold there at 25¢ per acre,
 being the ordinary price for
 land in that district.
 It is to be purchased in
 whole people obtain title to
 the land they wish to
 occupy of it and we
 that the timber is not
 destroyed when manufacturing
 into charcoal or otherwise
 and that the timber in the
 vicinity is not lost
 but exchanged for
 fire.
 By allowing the residents
 of this district to acquire
 timber lands in that way
 every

locate any 20 or 40 acres they wish on a section. Having done so the land is to be sold there at \$2⁰⁰ per acre, being the ordinary price for lands in that District.

It is to be presumed that when people obtain title to the land they will look closely after it and see that the timber is not destroyed when manufacturing into cordwood or veneering and that the timber in the vicinity is not by carelessness endangered by prairie fires.

By allowing the residents of Prince Albert to acquire timber lands in this way
any

7.

any further agitation re
 to her as will to a very
 considerable extent be pre-
 vented, and will, which I
 think is very desirable, enable
 the Department to strictly enforce
 in future all the timber
 requisitions; which has not
 been done in the past. I see
 no objection in any locality
 where wood is plentiful to
 sell to settlers 20, 40, 80 or
 even 160 acres of wood lands
 at the ordinary rate of other
 land.

(Signed) W. P.

any further agitation as
 to the same will be a great
 advantage to the cause
 wanted, and will, which I
 think is very desirable, enable
 the Department to strictly enforce
 its laws and the timber
 regulations; which has not
 been done in the past. I see
 no objection in any locality
 where wood is plentiful to
 sell it at the 40, 50, 60 or
 even 100 acres of wood lands
 at the ordinary rate of other
 lands.

Yours
 W. P.

846

Ottawa 6th Feb 1886

Sir

I enclose with this report of Mr. Lemp.
concerning Lot 233. St. Agathe made in 1880.

On 15th Dec. 1877. in conformity with
instructions Mr. Whittemore forwarded H.O. a schedule of all
claims in settlement Belt and in his letter enclosing
it he states said schedule contains all the information
to be obtained from surveyors' reports, applications of
claimants and reports by Roger Gould, and said
schedule states Lot 233 St. Agathe is claimed by
Maise Marion, who purchased from Joseph Delorme who
had about 1 ac cultivated in 1875-476

On 12th Aug 1881 a list of who the said claimants
is sent Mr. Whittemore, and this lot appears on that list.
It is sold on 29th Jan^y 1883, price for in full and
paid in ^{17th April} ~~February~~ following.

It would appear from evidence of Ben Corrier
that Delorme died and under possession till subsequent
to 21st March 1873 (Mention's affidavit would however be
some extent imply the opposite) therefore could not claim
it at \$1.25 per ac.

Under the "O in C" of 20th April 1876. Maise would
be required to pay \$6⁰⁰ per ac. and at this date I could
see how she can be treated otherwise.

After reading over all the "O in C" and other documents
bearing reference to settled claims I am of opinion that the
grounds of the "O in C" of the 25th Feb. 81. never meant it to apply
to lands in the settlement belt. It will be observed that after all
only a H. privilege is given, and that was intended to apply to lands
where if not in Half Blood land would have been open to Homage.
The settlement belt was not open to Homage and had this privilege
throughout of these claims being preferred in settlement belt would be
provision would have been made to treat them. That these

H. H. Smith - Esq.
Am^{er} - Don^{or} Land
Winnipeg
Man

provisions have been extended to lands in such Belt is an act
intended to enable them even to be finally disposed of
but if that is to be made retroactive a door will be
opened to the greatest abuse of frauds. Therefore consider
this application of Miss Marion should not be entertained

Respectfully Submitted
H. L. Lemp

There are in view
the same including an acre of 40000 ac.
of which claims of Redoubt River, D.
are given to extend from one of the 20th of 1876 of 20th of 1876 all settlers claims
but that it operates only in as far as the claims preferred before lands
remaining are in dispute of the first.

846

Report of Inspection
 1880 - (H. J. J. J.)
Shagbark

L.C.

Stone Mason, came here
 1876 - Bought from J. C. Belmonte
 and moved. about 2 acres
 of land. In 1876 built house
 24x30 Stable 16x16. In 1877
 broke 10 acres & cropped it
 and made improvements over
 place. Has now in crop
 12 broken back
 2 cows, 2 young
 hogs. Implements. Reaps,
 Mow, & saw, Hay rake,
 & wagon.

847

private

Walla Walla 6/2/86

My dear Smith-

Yours of the 25th ult. re lot no 6
Grand Point to hand.

The patent issued for lot in
May last area 239 1/2 ac. and scrip should
issue for it. but should have been 239 1/2 of
same. I think we have held such claims
as this should be limited to 192 ac. which
would have scrip to issue for 144 1/2

$$384 - 239 \frac{1}{2} = 144 \frac{1}{2}$$

So far as this file is concerned there is nothing
to show who passed the title or recommended
patent under Minn Act. & perhaps I had better
not interfere

I may say that Mr Phillips & Walker have
written stating that one David McEguyer has
a claim to the S¹ & 8th of this lot; but the
file does not disclose on what grounds.
They ask what the Dep^y intends doing as
this should have been told in effect the Dep^y
intend doing nothing.

Until I again hear from you I shall
take no further steps, and would like to
hear your views as to the amount of scrip
that should issue. I fancy the hurry about
the issue of scrip is on account of the claims
of McEguyer.

At Smith Bay
Corn - Don Leland
Winnipeg

Very truly yours
Wm Pearce

Private

Feb 11/80

My dear Sir,

Yours of the 28th is received. I am sorry to hear of your illness.

The postage is enclosed for you.

I have been very busy lately, and have not had time to write to you. I have been very busy lately, and have not had time to write to you. I have been very busy lately, and have not had time to write to you.

I am sorry to hear of your illness. I am sorry to hear of your illness. I am sorry to hear of your illness.

I have been very busy lately, and have not had time to write to you. I have been very busy lately, and have not had time to write to you. I have been very busy lately, and have not had time to write to you.

I am sorry to hear of your illness. I am sorry to hear of your illness. I am sorry to hear of your illness.

Yours truly,
Wm. L. G.

Wm. L. G.
New York

Ottawa 6th Feb. 1856

My dear Sir.

Your letter of the 22nd ult came to hand. Your inquiries concerning lot 58 Hildemann & 8 + 20 St Pauls have been transferred to the proper officer. He has made a note of your inquiries and will, if he has not done so, write you concerning the same.

As to lot 37 St Clements or rather the portion of it. I am not in a position to advise or give suggestions for this season.

Suppose I say no further evidence is necessary and decision be given against you, you might say if he had advised me to obtain certain evidence I might have had a decision in my favour. Again suppose I advise you to obtain the evidence & the decision is against you, you might say, if he had not advised me to obtain it I would not have gone to that needless expense. You must be the judge, knowing the value of the land in dispute, the nature of your claim & the contention on opposite sides whether you furnish any more evidence or not. Will be happy when he is to obtain for you any information I legitimately can.

Very truly yours

Wm. Pearce

J. Thompson Esq. }
St. Pauls
Ottawa

Attorney 6-5-85

My dear Sir,
Your letter of the 22nd ult came to
hand. Your inquiries concerning the
at 8 + 20 at 2000 have been transferred to
the proper officer. The two cases are now of
your inquiries and will be put on the
order for consideration the same.
As to the 35th elements or rather the
portion of it. I am not in a position to advise
a fine suggestion for this matter.
I suppose I say on further information
the necessary case is given to your officer for
your right. If I have no objection as to
the same. I might have been a decision
in my favor. Again, I suppose I advise you
to obtain the evidence of the decision is given
you, my right. If I have not evidence in
the same. I might have been given to that
the same. For some to the same. The
the order of the same in the same, the
your claim to the same on the same
which you furnish and your evidence is not.
It is my duty to advise you for your
information & suggestion.

Very truly yours
J. H. H. H.

J. H. H. H.
At. H. H. H.
H. H. H.

File 79518.Memorandum.

The lands requested to be set apart namely:- Townships 49 in Ranges 24, 25, 26, 27 + 28 containing in all 104 sections, and if we include, what I presume is intended, that portion of Township 48 in Ranges 27 + 28 lying north of the Saskatchewan River, there will be in all 115 sections; allowing a deduction of 7 for school sections there remain 108 sections or an area of 69,120 acres. Assuming that not more than $\frac{1}{3}$ of this can really be called timber lands the rest being prairie swamps, lakes and brush and hay lands, there remain 23,000 acres, of which allowing 20 acres of land to each homesteader, would give land enough for 1,000 homesteaders. There are not at present in the district probably more than 200 homesteaders who now require and will for many years require.

Imule

require to obtain their fuel from this tract.

I presume that this petition is largely got up at the instance of the residents of the Town of Pine Albert not really homesteaders. What is occurring in that vicinity is that the timber is being taken.

The fuel collected from settlers in this district which included Rattleford as well, for cutting cordwood and building timber outside of lumber are not very considerable amounting for the years 1884 & 85 to only \$2,888.67.

As at present no one has any interest in preserving the timber each individual goes and cuts wood where he can obtain it most readily. It is all on Government land, the result is that only the choice portions of the timber are cut & taken away; the rest is left lying on the ground, and forest fires destroy not only what has been cut, but in many cases what has been left standing. If any steps can be taken to
prevent

849

prevent this state of affairs I think it would be better to do so, and would suggest that the Agent at Prince Albert be instructed that on application by anybody in his district, whether a homesteader or not, that he desires or wishes to obtain say 20 or even 40 acres of timber lands the same will be granted by legal subdivisions or portions thereof. If 40 acre lots are required I would recommend that they be granted 10 chains frontage by 40 in depth fronting on the road allowance for 20 acres, 5^{ch} by 40 chs. Under the new system of surveys unless provision is made for right of way it will be necessary in one half the land that those lots be laid out east and west; the other half can be laid out either east & west or north & south as the applicants may choose. This arises from the fact that there is an east & west road allowance for every alternate section only. I see no reason

why.

why a party should not obtain 80 or even 160 acres if he is prepared to pay for it in cash.

This country being now surveyed parties can readily locate any 20 or 40 acres they wish on a section. Having done so the land is to be sold them at \$2.00 per acre, being the ordinary price for lands in that district.

It is to be presumed that when people obtain title to the land they will look closely upon it and see that the timber is not destroyed when manufacturing into cordwood or fencing and that the timber in the vicinity is not unnecessarily endangered by prairie fires.

By allowing the residents of Prince Albert to acquire timber lands in this way any further agitation re timber dues will to a very considerable extent be prevented, and will, which I think is very desirable,

enable

enable the Department to
strictly enforce in future all
the timber regulations; which
had not been done in the past.

(Ed) W. P.

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 the white in the field
 hair; the white of the
 the of the in the field

. 7. 41 (16)

Memorandum.

On C.O. File No 48486
Re Lot 271 Ste Agathe.

The first thing on file here in connection with Lot 271 is an application by one J. St. Pourond for patent for the land. He states that in 1868, he took possession of the lot, built a house resided on it for a year, also erected a stable, also that the house was destroyed by fire. On the 15th July 1878 he was in peaceable possession. The date of that affidavit is the 28th June 1877; it is corroborated by the affidavits of Baptiste Jolibois and Alex Gouldt. The application was filed on the 4th July 1877 and its receipt was acknowledged on the 6th July 1877. On the 14th March 1878 the claimant was notified that he had no claim under the Dominion Act.

On the 6th
March

On C. O. Title to 8285
re lot 2/1 the Capital

The first thing on file
has no connection with
lot 2/1 is an application
by one J. H. Leonard for
patent for the land. He
states that in 1868 he took
possession of the lot, built
a house, resided on it for
a year, also erected a stable
also that the house was de-
stroyed by fire. On the 15th
July 1870 he was in possession
therein. The date of that
affidavit is the 28th June
1871 it is corroborated by
the affidavits of Baptist
Johann and also found
The application was filed
on the 4th July 1871 and its
receipt was acknowledged
on the 6th July 1871. On the
14th March 1878 the claimant
was satisfied that he had
no claim under the land.
Title set.

On the 6th

In case 1878 Francis J.
 Grant applied for patent
 under the Homestead Act
 this lot. He claimed that
 he purchased it from Louis
 Bantel and that he the
 said H. Bantel had
 died in October 1876 and
 had fifteen acres entitled.
 One James Buchanan
 stated that Louis Bantel
 was in fee simple possession
 of this lot on the 15th July
 1870; that no one except
 Louis Bantel claimed the lot
 and that Bantel sold to the
 Claimant H. Bantel on
 the 18th March 1878 the ap.
 -lication was received and
 acknowledged and the claimant
 told that there was no claim
 under the Homestead Act.
 Another file refers to a
 claim to a chain of lot 2 of
 together with lot 2 of
 of Edward Kelly. There is
 an affidavit on it from
 Baptist ~~missionary~~ ~~missionary~~
 who states that he is the
 owner

March 1878 Narcisse St. Goddard applied for patent under the Manitoba Act for this lot. ~~He~~ claimed that he purchased it from Louis Vandal and that he, the said St. Goddard took possession in October 1876 and had fifteen acres cultivated.

One Daniel Braconnier stated that Louis Vandal was in peaceable possession of this lot on the 15th July 1870; that no one except Louis Vandal claimed the lot and that Vandal sold to the claimant St. Goddard. On the 18th March 1878 the application was received and acknowledged and the claimant told that there was no claim under the Manitoba Act.

Another file refers to a claim to ^{Section 2} 2 chains of lot 271 together with lot 269 prepared by Edward Kelly. There is an affidavit on it from John Baptiste Jullibert ~~as~~ ^{for} ~~himself~~ ^{himself} who states that he is the owner

850

owner of the land immediately to the north of this claim so that ~~as~~ J. Bte Pourond means that he is the owner of the remaining portion of lot 271, he states that one J. B. Goulet was in peaceable possession at the time of transfer. It was sold to the Hudson's Bay Company on the 20th April 1880. In report of Mr Whitcher dated 15th December 1877. This lot is marked as claimed by J. Baptiste Pourond and Louis Bandal. So far as Bandal's claim is concerned it would be only a stated claim and from his evidence his claim should be confined to lot 273, which according to Pourond's evidence in E. Kelly's application was at least a portion of his Pourond's claim. You will notice that Bandal's statement as to what he did and St. Goddard's statement as to what Bandal did ~~do~~ not agree. The only point in connection with
this

corner of the land in question
 to the south of this claim is
 that ~~the~~ of the corner
 means that he is the owner
 of the remaining portion of lot
 27, he states that one J. D.
 Goulet was in possession
 of the same at the time of
 transfer. It was sold to
 the Western Bay Company
 on the 20th April 1880. In
 report of Mr. Whittier dated
 15th December 1877. This lot
 is marked as claimed by
 J. Baptiste towards another
 parcel. As far as parcels
 claim is concerned it would
 be only a stated claim and
 from his evidence his claim
 should be confined to lot 27
 which according to Goulet's
 evidence in E. Kelly's application
 was at least a portion of
 his parcel's claim. You will
 notice that Goulet's statement
 as to what he did and the
 statement as to what Goulet
 did do not agree. The only
 point in connection with
 this

This is the point raised by
 Mr. Rogers in his letter of
 the 1st December 1885 in
 which he states that the
 not being amongst those
 reserved for the University
 Company in 1877, the Government
 should not have handed it
 over to that Company when
 Lt. Lockhart was in possession
 of it. You have a copy of that
 notice in your scrap book.
 If he was allowed to purchase
 from the Government & therefore
 should be required from the
 nature of the evidence to pay
 £500 per acre certainly no claim
 under the Statute Act has
 been made nor do I think
 any stated claim of the
 Government intended to acquire
 all the old claims that may
 be brought up it would be
 well to carefully consider the
 subject before taken any further
 steps. I for one am strongly
 of the opinion that those
 cases which are subjects of
 had better remain so.

Yours

this is the point raised by
Mr. Royal in his letter of
the 4th December 1885, in
which he states that the lot
not being amongst those
reserved for the Hudson's Bay
Company in 1847, the Government
should not have handed it
over to that Company when
St. Goddard was in possession
of it. You have a copy of that
notice in your scrap book.
If he was allowed to purchase
from the Government I think he
should be required from the
nature of the evidence, to pay
\$5.00 per acre certainly no claims
under the Manitoba Act, has
been made nor do I think
any stated claim. If the
Department intends to adjust
all the old claims that may
be brought up it would be
well to carefully consider the
subject before taken any further
steps. I for one am strongly
of the opinion that those
cases which are disposed of
had better remain so.

Even

850

Even though if now un-
adjusted would be accorded
more liberal terms than
have been granted.

Respectfully submitted

even though if more
 adjusted would be recorded
 more liberal terms than
 have been granted.

Respectfully submitted

851

820

Mans. in H.O. file 104235.

C.O. Ref 31506. B6014

That Lp was not open for entry until June 1882. The 1st entry made was on the 13th June 1882. Ashmore made his on 14th June 1882.

The price of pre-emption when persons settled in advance of survey has been the price ruling at date ~~from~~ from from from residence begun. When subsequent to survey the price at date of entry.

As however Ashmore has been rather unfortunate in his right to purchase the lands in future-in-law. Kenton having he states enclosed him, would recommend that in his case and in consideration of his misfortune in the the land matter he be accorded his pre-emption at \$1.00 per ac.

If it should be decided that the price of pre-emption ^{in cases in advance of survey} should be governed by date the claimant commenced to reside in the neighbourhood then you will find a great number who have paid for their pre-emption will request a refund.

So far as the Land Board are concerned the ground taken has invariably been that no right has ever been acquired in the land in advance of entry except through personal residence. Hence to be consistent the price of pre-emption has been fixed at date of commencing such residence.

To thoroughly understand the position of the Little River Station would refer to my letter to the
Respectfully submitted
W.P.

7/2/86

1851/52
 The above is a list of the names of the persons who have been
 admitted to the office of Justice of the Peace for the year 1851.
 The names are arranged in alphabetical order.

Memorandum.
 In P. P. File 51231
the lot 244 Ste. Agathe

821

It would appear from H. O. letter dated the 29th August last, N^o 4530 on 1003 P. A., that all the papers in this case are in the Commissioner's Office at Winnipeg, or at least copies of them.

However, all that remains here is an application for patent under the Manitoba Act by Francois Vandal dated 30th March 1844, in which he states that he took possession on the 15th June 1841, and has a house, stable and a little fencing.

In his statement before Goulet on the 11th January, 1886, he says he took possession about 1842, built a house and stable, says he cut hay & cordwood on the lot and rafted the latter down to Winnipeg. He sold it ^{the lot.} in 1844 to Joseph Hamelin.

It is to be presumed he left the lot in 1844, though he does not say so, it being customary with these people to leave where

Memorandum
 To the Hon. Secy. of the Interior
 Wm. C. C. Feb. 27/31

I would appear from W. C. letter dated the 27th August last of 1890 or 1893 W. C. that all the papers in the case are in the Commissioner's Office at Winnipeg, or at least copies of them. However, all that remains here is one application for patent under the Manitoba Act by Thomas Leland dated 30th March 1894, in which he states that he took possession on the 12th June 1891, and has a house, stable and a little farming. In his statement before Judge on the 11th January, 1895, he says the land possession about 1891, built a house and stable, says he cut hay & woodshed on the lot and raffled the latter down to his wife. He states in 1894 to Joseph Leland. It is to be presumed he left the lot in 1894, though he does not say so, it being customary with these people to leave

then sell.

There are no papers on the files ^{here} there may be in your office, to show that Hamelin was accorded the right to purchase it at \$1.00 per acre, under the Order in Council of 20th April 1846; and if Vandae left the lot in 1844 under such Order in Council he should not have been permitted to purchase as this Order recites "such of these lands as are resided upon and have been cultivated continuously since".

However, I think it will be found that a great many cases in which the residence & improvements were similar to those of Vandae have been accorded the right to purchase. This has arisen probably by accepting affidavits prepared by interested parties.

There seems to have been considerable correspondence with Hozois, who filed several affidavits to show that he has made material improvements on the land. He also states that at the time he occupied this land, in the year 1846, it was

the fact.

There are no papers on the file
 that may be in your office, to
 show that Hamilton was awarded
 the right to purchase it at \$1.50
 per acre, under the Order in Council
 of 20th April 1875, and if Hamilton
 left the lot in 1874 under such
 Order in Council he should not
 have been permitted to purchase
 as this Order recites "each of these
 lands are are reserved upon and
 have been cultivated continuously
 since".

However, I think it will be found
 that except many cases in which
 the residence & improvements
 were similar to those of Hamilton
 have been awarded the right to
 purchase. This has arisen probably
 by accepting applicants prepared
 by interested parties.

There seems to have been

considerable correspondence
 with Rogers, who filed several
 affidavits to show that he has
 made material improvements
 on the land. He also stated that
 at the time he occupied the
 land, in the year 1875 & 1876

vacant.

If Dozois took up this land in 1887 prior to Camelin being awarded the right to purchase at \$1.00 per acre, and if at the time the former took possession the land was vacant, I am inclined to think that Camelin's claim will have to be ignored and the land sold to Dozois.

It may be ~~claimed~~^{urged} against the latter that he claimed two lots, but he urges in rebuttal that the two lots were short and, together, only contained 206 acres, about 30 acres whereof are worthless owing to a ravine. All the affidavits of Dozois seem to have been made in Sept. 1887. & he would ~~apparently be an enterprising cutter~~.

Indubitably the whole file in this case was not forwarded me. There seems to be in the Commissioner's Office other papers than those I received as I recollect distinctly starting a file and lab. by a draft of my own dated 15th July, Ref. 38846, B. 4044. This will enable you to trace the rest of the papers in the Commissioner's Office.

[illegible]

Memo. H.O. File 84200 & 84201,
 On 9th Oct 1883. Charles Adams applied to cancel
 the entry of Henry Maynard to the S.W. 1/4 32-46-26 W 2nd
 Maynard in his defence ^{stated} ~~pleaded~~ that it was
 owing to an accident which incapacitated him
 for the time. This rendered his H. liable to cancellation. His
 cancellation was refused on 12th Dec 1883 & Maynard
 notified he would require to be a bona fide occupant
 of the place by the 1st May 84 otherwise he would
 be cancelled. On the shortly-afterwards Adams
 furnished evidence to show that Maynard accident
 happened before he had 1st made his entry.
 and eventually the cancellation was carried out on the
 16th Sep^r 1884. the order being, "Cancellation to be carried
 out Adams to be granted prior right of entry 80⁰⁰ H 80 P at
 2⁰⁰ per ac. or if enters for it as H in connexion with
 N.W. 1/4 same Sec as P. the latter to be 2⁵⁰ per ac.

File n^o 84201.

854

On 9th Oct 1883 Chas Adams applied to cancel the entry
 of Patrick Adamson to N.W. 1/4 32-46-26 W 2nd

This went by default on 10th Dec. 83 the
 Agent was instructed to notify Adams he could have 80⁰⁰
 as H. 80 as P. the price of the latter to be 2⁵⁰ per ac.
 (That evidently was a mistake intended to be 2⁰⁰ per ac.)

When I visited P.O. in Jan^y 1884, Adams asked that time to make
 entry be extended until Maynard's right to the S.W. 1/4 of this
 section be duly decided & the agent was instructed to grant
 Adams request.

Adams enters the S.W. 1/4 32 as a H & P. on the 6th
 Jan^y 1885. 80 & 80⁰⁰

On the 25th Jan^y 86 he wrote me saying that he
 be furnished, to H the S.W. 1/4 of 32 & P. the N.W. 1/4 the price
 of the latter to be 2⁰⁰ per ac. and urged the fact of
 having a large family and a good deal of stock &c.

Memorandum, H.O. File 84 505 + 84 504.

On 9th Oct 1883, Clerk Belmont applied to the
 the court of King's Bench in the 2 Wth 32-46-50 Wth 2nd
 to appear in his office ^{to} ~~before~~ that it was
 owing to an accident which had occurred since
 the accident his H. had to be cancelled, the
 cancellation was refused on 12th Dec 1883 & the
 further he would require to a new fair copy
 of the paper at the 1st day of January or would
 be cancelled, the Clerk of the Court
 furnished evidence that the papers were
 destroyed before he had 1st class his entry.
 was destroyed the Court ordered him to be
 10th Dec 1884. The order being, "Cancellation to be carried
 out before the present fair copy of entry 80 = 4 80 9 ac
 is made. If entry for 10 ac is in connection with
 40th 1st Dec 1883 as 9. The latter to be 2nd Jan ac.

File 84 504.

On 9th Oct 1883 Clerk Belmont applied to the court
 of King's Bench in the 2 Wth 32-46-50 Wth 2nd
 this was by reference on 10th Dec 83 the
 Court was instructed to certify before the entry 80 =
 on H. 80 as 9. The reason of the latter to be 2nd Jan ac.
 (The evidence was a written statement to be 2nd Jan ac)
 The Court D.C. in Jan 1884 before the time to be
 entry be entered under the 2 Wth 32-46-50 Wth 2nd of the
 before the Court & the Court was instructed to give
 the Court's request.

Belmont's entry the 2 Wth 32 ac & H 80 as 9. on the 6th

Jan 1884. 84 504

On the 25th Jan 84 he made an entry that he
 be furnished, to H the 2 Wth 32-46-50 Wth 2nd the 1st Jan
 of the latter to be 2nd Jan ac. and upon the face of
 having a large family and a large estate of the 1st Jan

is written on account of Douglas. Yours &c

Respecting the cancelled his present letter case

present letter case sent to the window, and changing
him for a new one for his convenience, and not changing

anything for his convenience for as in that case there was

no inconvenience, he would have to pay in all 20

more than would be required in ordinary cases which

expended 12 1/2 for the new one, and would be returned
to him with 3 weeks delay, and would be of great service
that he should not be troubled with any expense

for the new letter case the necessary expenses of
D. C. Agent.

H. H. Bennett, Esq. = New York

Mr. Douglas.

I think it is better to have it made

as to have a copy of my former letter case
for his reference, and to be returned to him
this letter, which will be better for \$4500 &
\$4500 of which I think will keep your money

Complete

H. H.

10/2/81

is useless on account of Douglas. Ponds &c.

Assuming we cancelled his present entries and granted him new entries as he wishes, and charging him \$2.00 per ac. for his Pre-emption, and not charging anything for Inspection fee as in this case there was no inspection, he would have to pay in all \$20.00 more than would be required in ordinary cases which equals 12 1/2 cts per ac. and would recommend Adams will I think show a very good settle. Adams has spent a good deal in this case that he doing it must with your approval, you will please issue the necessary *affidavits* to P.A. Agent.

H. H. Smith, Com^r San Land

Mr. Douglas.

I think in this case it will do to have a copy of my Memo sent Com^r for his approval & action, asking to be advised of this action, make entry on both files, 84200 & 84201 of action & that will keep your records complete

10/2/88

H. P.

Memo. on C.O. file. 802/2.

I return with this the above file and state the list furnished by the Agent is very misleading. It is a copy of the index furnished him. I thought to obtain a copy of the said index here; but it has been mislaid. When at Prince Albert in Dec. last I requested Agent to make a copy of said index and send the original back to Com^{rs} Office for use there by an oversight none having been retained there. If this has not yet come to hand would suggest it be asked from Agent.

Mr. Rutton who assisted me in preparing the said index will remember it was not an index of present claimants out of every person who at any time had any land claim or connection with one of those investigated by me, thus far
correct

Memo. on G. O. file. 70218.

I return with this the above file and state the list for. -
 -checked by the Agent is very
 misleading. It is a copy of
 the index furnished him.
 I thought to obtain a copy
 of the said index here; but
 it has been mislaid. When
 at Prince Albert in Dec. last
 I requested Agent to make
 a copy of said index and
 send the original back to
 our office for use there by
 our oversight. None having
 been returned there, of
 this has not yet come to
 hand. I would suggest it be
 asked from Agent.
 Mr. Fulton who assisted
 me in preparing the said
 index will remember it
 was not an index of present
 claimants but of every
 person who at any time
 had any land claim or
 connection with one of these
 investigated by me, thus for
 some

some parcels were removed say
 by John Williams the master
 would show parcels half
 a dozen names. The object
 of preparing the map was
 was done was to enable
 any claimant to be readily
 checked and compared
 with what had been stated
 by him or on his behalf
 in every other claim.
 Thus in looking up the claim
 of John Smith to lot
 it would be found that he
 had at some time preferred
 claim, or claim thereto had
 through his wife been preferred
 to several other lots, these
 could be turned up and
 statement compared, the
 same could be done with
 every other name which
 appeared.
 Had some such a course
 been adopted in the old cases
 in many many parcels could
 no doubt have been readily
 checked.
 It might be well to direct
the

some parcels now owned say, by John Billings the index would show probably half a dozen names. The object of preparing the index as was done was to enable any claimant to be readily checked and compared with what had been stated by him or on his behalf in every other claim. Thus in looking up the claim of John Smith to lot _____ it would be found that he had at some time preferred claim, or claim thereto had through his acts been preferred to several other lots, these could be turned up and statement compared. the same could be done with every other name which appeared.

Had some such a course been adopted in the old cases in. Man many frauds could no doubt have been readily checked.

It might be well to direct
the

the attention of the Agent to the misleading nature of his return. Supposing such a letter was called for & produced in the House it would lay the Gov^t open to censure for not attending to these claims.

When the original index is obtained a list of all cases investigated by me can be made out, then sent Agent with request to fill in date party was notified by him, and date claimant had complied with said notification.

Respectfully submitted

Witness, 10/9/31.

the attention of the Agent to
the misleading nature of
his return. Supporting
such a letter was called for
as produced in the house
it would say the Gov. went
to remove for not attempting
to these claims.

When the original
copy is obtained a list of
the cases investigated by
me can be made out, then
sent Agent with request to
fill in date party was notified
in turn, and date claimant
had complied with said
notification.

Respectfully submitted

Witness 10/2/81

Memorandum

On Rec. Father Fourmond's letter
of the 26th January, 1886.
~~_____~~

It is to be borne in mind with respect to the greater part of what is now known as the Parish of St. Louis de Langevin that at the time of survey there were only three settlers therein, namely: Bremner, Boucher & Potter.

The latter has long since abandoned his claim or sold it to others. Boucher is not now in the country being one of the refugees in Montana.

Bremner in his affidavit states that he came to this township with Boucher; they were there about two weeks before survey was made and up to the time of survey had not decided whether they would take their claims as they have now been granted, or would take them by quarter sections.

To illustrate all that is necessary for any of these parties to do in order to define the exact position of their claims, I would refer

refer you to the map of Township 45, Range 24 west of second meridian, herewith, on which are marked several claims ~~as such they claim the land.~~ I have marked in blue all the lines run on the ground.

The most of this Township is ~~prairie with~~ scattering bluffs; the old lines should be readily traced, ~~when~~ On the prairie they can be seen in most cases from one post to the other, such posts being half a mile apart. Where in woods the old lines can be easily found & recleared.

On this map scales marked in blue circles where posts are to be found on the ground.

It will thus be seen that one half of the claims have already one boundary defined, the remaining half requires very little trouble on the part of the claimants to define those limits.

Thus, we will take as an example Ivoise Brenner's claim, this is a line sample. Supposing he wishes to define his limits, he can easily trace the southerly line

refer you to the map of Township
 No. 10, Range 27, North of the river
 over which, I submit, are under
 one marked General Claims
~~and one marked Township~~
~~claims.~~ I have marked in blue
 all the lines run on the ground.
 The name of the Township is
 scattering bluffs; the old lines
 should be readily traced, ~~and~~
 on the Prairie they can be seen
 in most cases from one part to
 the other, such facts being
 a mile apart. There are now
 the old lines run the country
 found & recorded.
 On this map several are marked
 in blue circles where facts are
 to be found on the ground.
 I will thus be seen that one
 half of the claims have already
 one boundary defined, the re-
 maining half requires very little
 trouble on the part of the claimant
 to define the limits.
 Now, we will take one case
 example Prairie Township, showing
 this is a fine example. Showing
 the wishes to define the limits,
 he can easily trace the boundary
 line

line of section 3 on the ground. He may then take a pole, tape, line or any other measuring instrument he wishes. Point 4 is just one fourth of the whole distance between 3 & 4; point 2 is one half the distance, thus he has the two rear corners of his lot defined. Then take the north limit of section 3, point 6 is one quarter the distance between points 5 & 8, point 7 is one half the distance. It will thus be seen that with very little trouble he has two more points of his claim defined on a limit one mile north of his rear limit.

In most cases by planting a high picket at 7 it can be seen at 6, if not he can easily run a picket line from 6 to 7 and if it does not strike 7 he can correct  so as to establish a correct line.

We may now suppose he wants to establish points near the river, say 10 & 11. Point 9 is established on the ground, he measures west from that 20 chains and establishes 10, 30

line of section 3 on the ground.
 It may then take a hole, take
 line or over of the measurement
 instrument be used. But if
 as first one fourth of the whole
 distance between 3 & 4, point 2
 is one half the distance, then
 the line is two times as long of the
 lot defined. Then take the width
 front of section 3, point 3 is
 one quarter the distance between
 points 2 & 4, point 4 is one half
 the distance. It will then be the
 lot with very little trouble to
 have two more points off the
 chain defined, one about one
 mile north of the rear line.
 In most cases by plotting a
 high point at 7 it can be
 seen at 6, if not the same
 easily from a higher line from
 6 to 7 and if it does not strike
 the rear corner of 7, so as to
 establish a correct line.
 The road over the bridge is
 wanted to establish points near
 the river, say 10 & 11. Point 10 is
 established on the ground, the
 measure was found that 20
 chains and established 10, 30

chains and defines 11 - 11 & 6,
10 & 7 can be easily connected
and this will give him his entire
side lines.

The only locality where the
~~defining~~ of the claims is
different from the one cited is
in Township 45, Range 1 west
of the third meridian; but Col-
onel Sproat has been instructed
to make the necessary survey
of that township.

It has always been maintained
by the officers of the Department,
I think incontrovertibly, that there
was no necessity for any further
surveys to enable the settlers to
have their holdings in ten chain
widths if they agreed or particu-
larly desired to take them in
that way; that is always assum-
ing that the country was sur-
veyed in sections.

2. The rebellion losses matter
is one in which I presume
these people are dealt with in
the same manner as all other
residents of the North West.

As to the scrip he might be told
that Mr Roger Gould has been
instructed

chain and others 11. 11 & 12
 104 I can be easily connected
 and this will give him his entire
 sole time.

The only locality where the
~~chain~~ of the chain is
 different from the one cited in
 in township 12, range 1, back
 of the first meridian, but the
 one of which has been indicated
 to make the necessary survey
 of that township.

It has always been assumed
 by the officers of the Department
 that this is incorrect, that
 was no necessity for any further
 survey to enable the section to
 have their holdings in the chain
 with it if they agreed or parted
 only desired to take them in
 that way; that is always seen
 among that the country was not
 except in section.

2. The rebellion has been made
 is one in which I presume
 the people are dealt with in
 the same manner as all other
 accidents of the first week
 as to the group he might be told
 that Mr. [Name] has been
 interested

instructed to proceed next summer to all points in the North West to receive applications for scrip from those who though entitled to it failed to appear before the Commission appointed for that purpose, and which took evidence during last summer.

3. All old settlers on the Saskatchewan or elsewhere ~~are~~ in the North West are accorded a free patent for all land held by actual possession on the 15th July 1870. If any of those at the South Branch, entitled to such rights, have failed to obtain them it is because they have never applied: It is probable that there are few if any entitled to such privilege.

Further, as the right of second entry is granted the half breeds on the South Branch the same as all other citizens of the country they have no ground for complaint because they cannot get land free; all that is required is a \$1.00 entry fee in order to get 160 acres of land.

Besides, those who were ~~mentioned~~ ~~mentioned~~

submitted to proceed with business
to all points in the North West
to receive applications for lands
from those who have entered
to it failed to appear before the
Commission appointed for that
purpose, and which had evidence
during last summer.

3. All old settlers on the
tationnaire or elsewhere were in
the North West are recorded as
free patent for all lands held
by actual possession on the 1st
July 1870. If any of these at the
last became entitled to such
rights, have failed to obtain
them it is because they have
never applied: it is probable
that there are few if any entitled
to such privileges.

Further as the right of removal
entry is granted to all persons
on the North branch the same
as all other citizens of the country
they have no ground for com-
plaint because they cannot get
land free; all that is required
is a 10 acre fee in order to
get 10 acres of land.
Besides, those who were

~~unmarried~~
~~men~~ in the North West Terri-
 tories at the time of the Transfer
 were entitled to 240 acres of land
 if they so desired; only a ^{very} small
 percentage however of those en-
 titled availed themselves of this
 privilege, the remainder pre-
 ferring to get that many dollars
 in scrip.

Heads of families, at the time
 of the Transfer, were given \$160.
 in scrip, applicable to any
 lands they wished to purchase,
 and if they were on the South
 Branch of the Saskatchewan
 prior to 1st June 1880, in bona-
 fide residence on what is now
 their homestead claim, and if
 a preemption was available
 adjacent to their holding, they
 could with this \$160. of scrip
 obtain 160 acres of land. If
 they settled since that date
 with the same scrip they could
 obtain 80 acres, therefore they
 cannot claim that it is im-
 possible for them to obtain
 all the land they require or
 are entitled to.

As to 2^d 4 it is a matter
 I

~~was~~ in the North West corner
of the tract of the transfer
was entitled to 240 acres of land
if they so desired; only a small
percentage however of those en-
titled avoided themselves of this
privilege, the remainder pre-
ferring to get that many dollars
in cash.

Some of families, at the time
of the transfer, were given \$50.
in cash, applicable to any
land they wished to purchase,
and if they were on the land
of the Government
prior to June 1860, in favor
of residence on what is now
their Government claim, and if
a reservation was available
adjacent to their holding they
could with the \$50 of cash
obtain 100 acres of land. If
they settled since that date
with the same cash they could
obtain 80 acres, therefore they
cannot claim that it is im-
possible for them to obtain
all the land they require or
one entitled to
As to \$50 it is a matter

856

I am not in a position to state
anything about.

Respectfully submitted,

W. Pearce

For out in a position to state
anything about.

Respectfully submitted,

W. H. H.

St. Laurent-Grandin 26th Jan. 1886.

To the Hon. Tho^s White,

Sir,

While awaiting a final answer to my last letter which I hope, through your powerful & kind protection, will prove favorable, permit me to again trespass on your valuable time, always in a friendly spirit of course, with respect to the interests of our poor Halfbreeds. I am authorized to do this by our young agricultural society which has earnestly brought me to plead its case before you, and to ask you to use your kind offices with your colleagues. Your attention is directed to four very important points:-

1st The survey of the lands at St. Louis de Langevin, the Poucher Bremner settlement, &c.

The settlers have taken their lands by ten chains width and the survey is by square sections so not knowing the true boundaries of their lots trouble often

Wm. L. Garrison
 Boston, Mass.

My dear Sir,
 While awaiting a final answer
 to my last letter which, I hope,
 through your friendship & kind
 protection, will prove favorable
 to my cause to again express
 my warmest thanks, always
 in a friendly spirit of course,
 with respect to the interests of
 our fair Republic. I am
 authorized to do this by our
 young association, and I am
 sure earnestly desirous to
 do it in case before you
 and to ask you to use your
 kind office with your colleagues
 your attention is directed to our
 very important points:-
 1. The survey of the land at St.
 Louis de la Riviere, the purchase
 of the settlement, &c.
 The settlers have taken their
 land by the chain with and
 the survey is by square sections
 so not knowing the true form
 of the land but trusting to the
 chain.

occurs among neighbors. There are I think, 35 farms in this settlement. Mr. Kuck, who was charged with settling this difficulty, informed me that it lay with the settlers to survey their ~~own~~ lands at their own expense, but these poor people who already find it so hard to ~~be~~ ^{find the money} to pay the usual entry fee, have not the means to pay a surveyor.

Our surveyor Mr. Sproat of whom I took counsel, advised me not to make a petition, but to write you a private letter, as I have the honor of doing presently, and to ask you to order him in the matter. Mr. Sproat gave me - hopes of a favorable answer.

2 - Indemnity for rebellion losses. I have in hand several lists of such claims, the amount concerned is not very heavy, but I do not know what to do in the matter.

Several influential parties have given us to understand that during the present month a delegate would come among us to ~~settle~~ ^{examine} all existing claims & satisfy as many of them as possible. The

occurs among neighbors. There are
 three, 35 years in the settle-
 ment. Mr. Lee, who was charged
 with settling the difficulty, in-
 formed me that it lay with the
 settlers to remove the same from
 the area of dispute, but there
 have been who already found
 it so hard to ^{find the money} ~~be~~ to pay the
 usual entry fee, have not the
 means to pay a surveyor.
 The surveyor Mr. Jones of
 whom, I have counsel, advised
 me not to make a petition, but
 to write you a private letter, as
 I have the honor of doing presently,
 and to ask you to order him
 in the matter. Mr. Jones gave
 me a paper of a favorable answer.
 2 - Inasmuch as the law in Texas
 I have in hand several bits of
 such claims, the amount of money
 is not very heavy, but I do not
 know what to do in the matter.
 Several influential parties have
 given us the understanding that
 during the present month a
 delegate would come among
 us to ^{expunge} ~~settle~~ all existing claims.
 I satisfy a many of them in private.

The present month is fast coming to a close and ~~our~~ ^{our} hopes in this direction have not been realized. Many have consulted me in this behalf and I have nothing definite to tell them.

Besides the claims for losses, there are several families who have not yet received their scrip, which they sorely need at this moment.

3 - The rights of the old settlers of the Saskatchewan, or actual ~~settlers~~ ^{settlers} West Territories, outside of Manitoba, before 1870.

These settlers who have not received free grants for the lands occupied by them, on the same conditions as accorded their brethren in Manitoba; should they not so obtain them, not having done so in Manitoba. If such a concession is not an act of strict justice is it not at least one of natural equity according to the old proverb; par pari gaudet?

I may add that this would be a wise administrative act and tend to finally quiet ~~on~~ ^{the}

The present movement is fast coming
to a close and the life of the
association have not been realized.
Many have connected with the
cause and I have nothing to
write to tell them.

Among the claims for land
there are several families who
have not yet received their grants
which they sorely need at the
moment.

3 - The rights of the old settlers
of the backcountry, or actual
settlers, before 1840.

These settlers who have not
received free grants for the land
occupied by them, on the same
conditions as accorded their
brethren in Kentucky; should
try not to obtain them, and
having done so in other
of such a character is not
an act of strict justice is that
at least one of natural equity
according to the old settlers;
for fair game?

I may add that this would
be a wise administrative act
and tend to finally quiet
the

the minds of our people. I have heard many complaints on this score, and not to hearken to the same might, for the future, again prove a source of trouble, of excitement, or, at least, a subject of painful discussion between the said settlers and the Government. Since the latter is well disposed to satisfy all parties, we trust that it will not leave incomplete this grand work, the accomplishment of which will redound not a little to its glory and that of the Canadian Pacific Railway. Will this not prove in both cases a magnificent bond of union between sundered hearts?

4- The question of help to families. I am happy to be able to say that the delegate named by His Honor Lieutenant Governor Dewdney, Mr. Kerchiner, has truly done his best to satisfy us, by visiting the most needy families, hastening to take efficacious means to give substance to your good intentions and promising to join
his

the mirror of our people. I have
 heard of many complaints on this
 score, and not to hear them to the
 score, might, for the future, again
 prove a source of trouble, of
 excitement, or at least, a source
 of full discussion between
 the social better and the Govern-
 ment. Since the latter is well
 disposed to satisfy all parties,
 we think that it will not have
 misapprehended this great work,
 the accomplishment of which
 will require not a little to
 its glory and that of the Gov-
 ernment Pacific Railway. With this
 not having in both cases a major
 friend based of union between
 business heads?

4. The question of help to families.
 I am happy to be able to say
 that the delegate named by the
 House, Mr. Buchanan, has
 truly done his best to satisfy
 us by visiting the most needy
 families, determining to take
 efficacious measures to give
 substance to your good inten-
 tions and promising to join

his voice to ours where he believed
our demands lay without his
powers.

His sojourn amongst us
has made a good impression &
I can assure you that the succour
afforded was most timely. It is
to be regretted however that he
could not give more clothing,
130 yards of calico, only, for this
parish where, without exagge-
ration, at least 1000 would have
been required. But those who
received their small allotment
far from complaining, feel
very grateful to you, as also are
the neighbors who hastened to
profit by the moving of the goods
an advantage accorded them
by you through the Prince Albert
Police. These latter are also very
kind to us.

I join the testimony of my heart & the
gratitude to that of ~~the~~ ^{our} people
begging at the same time that
you will accept the homage of
our respect.

Your very humble servant
Ed. J. O. Fournier, A.M.
Director of St. Laurent.

our chambers for our own use
 this office, to have a more convenient
 quarters

This business arrangement is
 now made a good improvement &
 I am assured you that the business
 affected was much thereby. It is
 to be regretted however that he
 could not give more clothing
 150 yards of calico, only for the
 fourth where without expense
 nature, at least 1000 would have
 been required. But there was
 received this small allotment
 for your complaining, feel
 very grateful to you, as also are
 the residents who have been so
 long in the morning of the good
 an advantage secured them
 by your through the Prince Albert
 office. These latter are also very
 kind to us.

Give the testimony of my heart
 to the people
 being at the same time that
 you will accept the message of
 our respect.

Your very humble servant
 Wm. O. Forrester
 Minister of St. Lawrence.

Interior

Ottawa, 11th Feb. 1886.

Dear Father Lacombe.

In compliance with your request I now send you extracts from my report and copies of all papers affecting the claims preferred to land in the town site of Bathford, by the Corporation Episcopale and the Rev. Pères Oblats regarding church property at that point.

On perusal of all the matter herewith I think you will agree with me that as liberal treatment has been granted as could be in view of the evidence adduced.

I

14/10/20

Lithia

Ottawa, 11th July 1881

Dear Father & Mother

In compliance with

your request I have sent you

photocopies from my report

and copies of all papers of

relating to the claims referred

to land in the town site of

Southport, by the Corporationof the town and the townof the Corporation

properly at that point.

On perusal of all the

matter herewith I think you

will agree with me that as

liberal treatment has been

granted as could be in view

of the evidence adduced.

Yours

I may say however that if
your church wishes to con-
siderate their property as
situated at our point, rather
than have a portion on each
side of the Battle River, I see
no objection to the same being
done, and on your request
I will recommend it to the
favorable consideration of
the Minister.

That part of my report
bearing reference to the location
of the telegraph office is not
a point of issue so far as
the claims of your church
are concerned as those claims
are within the two miles
radius taking either point.

Yours

I may say however that if your church wished to consolidate their property at Battleford at one point rather than have a portion on each side of the Battle River, I see no objections to the same being done, and on your request I will recommend it to the favorable consideration of the minister.

That part of my report having reference to the location of the telegraph office is not a point at issue so far as the claims of your church are concerned as those claims come within the two mile radius taking either point.

Extract

858

Extract from report on Battleford town site claims, dated 30th August, 1884.

" To fully understand this case and others, it will be advisable to enter into a brief recapitulation of the history of the town. plot Reserve at Battleford; this report to be read also in connection with all cases in or near this town. plot.

" By order. in. Council dated February 26th 1876, "a block four miles square, making in all a block of 16 square miles be reserved at such a point in the vicinity of the Battle and Saskatchewan Rivers as may be found most convenient

for

Extract from report on Battle.

for town site claims, dated

8th August, 1884.

"to fully understand the

case and others, it will be

advisable to enter into a brief

recapitulation of the history

of the town. That being so

Bartholomew, this report to be

read also in connection with

all cases in or near this town.

That

of order in Council dated

February 1st 1870, a block for

will square, containing in all

a block of 10 square will be

reserved at each point in

the vicinity of the battle and

Bartholomew there as may

be found most convenient.

for

"for a town site."
 "The order in Council further
 reserves from sale and settlement
 to be set apart for construction
 of the R.R. a belt 20 miles on
 each side of the telegraph line
 as then constructed, from 20
 miles west of Fort Tully to 20 miles
 west of the Battle River. The
 said 40 mile reserve tract
 have heretofore been
 procured from the wealthy
 Government of Ontario to 20
 miles west of Fort Tully. As far
 there is nothing to show that
 the town plat reserve has been
 done away with, nor is there
 anything to show that the
 Government reserve has been done
 away with. In practice in 1879
 it.

"for a town site."

"The Order. in Council further reserves from sale and settlement, to be set apart for construction of the C. P. Ry. a belt 20 miles on each side of the telegraph line as then constructed, from 20 miles west of Fort Telly to 20 miles west of the Battle River. The said 40 mile reserve had some months previously been proclaimed from the westerly Boundary of Ontario to 20 miles west of Fort Telly. so far there is nothing to shew that the town plot Reserve, has been done away with, nor is there anything to shew that the Railway Reserve has been done away with. In Practice in 1879

it.

"it was done away with as far
"west as the belt regulations
"extended but no further, and
"by amendment to Dominion
Land Act of 7th May 1880, squatters
"in advance of survey were
"not protected.

"On 21st April 1876, the fol-
"lowing message was sent by
"the Minister of the Interior to
"the Agent of Telegraph Contractor
"at Battle River.

"Notify all persons, lands
"within two miles each way
"from Telegraph Office Battle
"River absolutely reserved for
"Govt. purposes, no settlement
"thereon allowed."

"The first point to be
determined is regarding the
location

" it was done away with as far
 " west as the belt-regularities
 " extended but no further, and
 " by amendment to Dominion
 " Land Act of 1st May 1880, sections
 " in advance of survey were
 " not protected.

" On 21st April 1870, the fol-
 " lowing message was sent by
 " the Minister of the Interior to
 " the Agent of Telegraph Contractors
 " at Battle River.

" Notify all persons, land-
 " within two miles each way
 " from Telegraph Office Battle
 " River absolutely reserved for
 " Govt. purpose, no settlement
 " thereon allowed."

" The first point to be
 " determined is regarding the
location

location of the telephone office
 at that date. From the evidence
 of Bernard Thomas, attached
 to file, it would appear that
 that the office was located
 near the north west corner of
 the N.E. of Section 1, T. 4. S. R. 1.
 W. of 3rd, the first telephone office
 and the portion marked on
 in yellow, (see plan), would
 be the 10 square mile with
 that as a center. If however it
 was then located at 2nd telephone
 office, then the portion in
 shaded within the blue margin
 represents the 10 square mile as
 reserved.
 In fact, all parties who
 went to the 2nd telephone office
 had no standing interest in
 the

"location of the telegraph office
"at that date. From the evidence
"of Bernard Tremont attached
"to file, it would appear at that
"date the office was located
"near the north west angle of
"the N.E. 1/4 of section 17. Tp. 43. R. 17.
"W of 3rd, the first telegraph office,
"and the portion marked out
"in yellow (see plan), would
"be the 16 square miles with
"that as a centre. If however it
"was then located at 2nd telegraph
"office, then the portion in-
"cluded within the blue margin
"represents the 16 square miles so
"reserved.

" Legally, all squatters subse-
"quent to the 21st February 1876,
"had no standing whether on

the

858

"the town-plot Reserve or elsewhere.
"So far as this Reserve was
"concerned, it seems to have been
"generally fairly well respected
"by the public. It is true, there
"were a good many squatters on
"the same, but they based their
"claim through the professed
"settlement of parties, prior to
"this Order in Council of Feb.
"1876, or admitted they were
"squatters on the public domain,
"and were prepared to purchase
"at a fair valuation from the
"Govt. a reasonable area, wished
"or required for their residences
"or places of business.

"All squatters outside of the
"16 square mile Reserve, or those
"who state they believed they
were

"The town. plat. record or deed."
 "as far as this record was
 concerned, it seems to have been
 generally fairly well respected
 by the public. It is true, there
 were a good many squatters on
 the same, but they bore their
 claim through the proposed
 settlement of parties, prior to
 this order in Council of Feb.
 1870, or admitted they were
 squatters on the public domain
 and were prepared to purchase
 at a fair valuation from the
 Govt. a reasonable area, which
 or required for their residence
 or place of business.
 "All squatters outside of the
 10 square mile Reserve, or those
 who state they believed they

were outside the same, although
 they expected believing it
 would eventually be open for
 discussion & transposition and
 that their claims in due course
 would be liberally treated and
 that they took care to be outside
 of the town. Not issuing.
 It will be well to divide these
 claims into three classes.
 1. Those who allege they
 settled on the town before the
 withdrawal by order in
 Council of Feb. 21. 1870.
 2. Those who settled on the
 town but subsequent to said
 order in Council.
 3. Those who settled outside
 of such reserve, or claim they
 thought they were so settled.
There

"were outside the same, allege
"they squatted believing it
"would eventually be open for
"Homestead & Preemption, and
"that their claims in due course
"would be liberally treated and
"that they took care to be outside
"of the town plot reserve.

"It will be well to divide these
claims into three classes.

"1st Those who allege they
settled on the town plot prior to
the withdrawal by Order in
Council of Feb. 21st '76.

2nd Those who settled on the
"town plot subsequent to said
"Order in Council.

"3rd Those who settled outside
"of such reserve, or claim they
"thought they were so settled.

There

858

"There is no evidence filed
"to show value of Antiochus
"improvements: probably at
"one time were worth \$150⁰⁰ at
"present not one half that amount.

"In Jan'y. '83 the Govt. extended
"the survey from the south side
"of Battle River, north to the
"Saskatchewan River. These lots
"were laid out north & south and
"east & west and included the
"portion subdivided by McDonald
"the result was that some build-
"ings erected on lots according
"to the McDonald survey came on
"streets and lanes according to
"the Govt. survey, and in place
"of accepting the position and
"conforming with the Govt. survey

a

there is no evidence filed
 to show value of articles
 in inventory: probably at
 one time were worth \$100.00
 present at one half that amount.

In Jan'y. 83 the Govt. attended
 the survey from the south side
 of Battle River, north to the
 Saskatchewan River. There lot
 were laid out north & south and
 east & west and included the
 portion subdivided by Mr. Donald
 the result was that some build-
 ings erected on lot according
 to the Mr. Donald survey came on
 street and some according to
 the Govt. survey, and in place
 of accepting the position and
 conforming with the Govt. survey

"a most determined effort seems
 to have been made to have that
 intended building, except
 the McDonald tunnel and pipe
 the last system. They agreed
 that it is better adapted to the
 location than the last system.
 so far as the position is concerned
 it may possibly be so, but even
 for that position the last system
 suits very well & where the whole
 town plot is taken into consideration
 the last system is infinitely
 better adapted than the other.
 If the other were continued
 you would be obliged to the
 south and west."

"My advice was asked of
 several parties who were residing
 near or the position of the last
town

"a most determined effort seemed
"to have been made to have those
"intending building, accept
"the McDonald survey and ignore
"the Govt. system. They agreed
"that it is better adapted to the
"location than the Govt. system.
"so far as the portion subdivided
"it may possibly be so, but even
"for that portion the Govt. system
"suits very well, & where the whole
"town plot is taken into consideration,
"the Govt. system is infinitely
"better adapted than the other.
"If the other were continued
"gores would be created to the
"south and west."

"My advice was asked by
"several parties who were erecting
"houses on the portion of the Govt."

Town

town plot, subdivided by Mr. Donald,
and in every case I told them
to accept the Govt. survey and
informed the claimants that
if the Govt. recognized their
claims it did not follow they
would secure the land as
they had staked it out, but
would be allotted portions ac-
cording to the Govt. survey. I
think now in every instance
where parties have erected
buildings or intend doing so
they have applied for lots ac-
cording to the Govt. survey.

Many of the buildings now
erected can be straightened
around to conform with the
Govt. survey, those that cannot
I presume will not be molested

Edw

have not, submitted by Mr. Donald
 and in every case I told them
 to accept the Gov. survey and
 informed the claimants that
 if the Gov. recognized their
 claims it did not follow they
 would receive the land as
 they had claimed it out, but
 would be allotted portions ac-
 cording to the Gov. survey. I
 think now in every instance
 where parties have needed
 building or other doing so
 they have applied for lots ac-
 cording to the Gov. survey.
 Many of the buildings have
 been can be straddled
 around to conform with the
 Gov. survey, that they cannot
 I presume will not be protested

file

"till the building appears to
 be repaired or rebuilt: the
 mill in corner of section is
 built on a thick and the
 propeller frame they were
 setting it on one. Down it
 is on a side till close to the
 flat on the back of the man, which
 at that point, in high water
 are flooded, and it may be
 many years before traffic will
 be opened the street proposed
 East of the said mill.

As evidence was filed on
 behalf of the claimant as to the
 nature of his claim and
 upon the general evidence
 given by the parties best as
 to the claim generally of
 evidence, Mr. Donald, the

Find

"till the buildings require to
"be repaired or rebuilt. The
"mill in course of erection is
"built on a street and the
"proprietor knew they were
"erecting it on one. However it
"is on a side hill close to the
"flats on the backatchewan, which
"at that point, in high water
"are flooded, and it may be
"many years before traffic will
"demand the street be opened
"East of the said mill.

No evidence was filed on
behalf Antrobus as to the
nature of his claim and
except the general evidence
given by Registrar Scott as
to the claims generally of
Antrobus, McDonald, Berchner,
Reid

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Reid, Scott and Robinson.

"as to the claims of the various
churches."

"1st R. C. Mission. This is pre-
sented in two claims, one
"on behalf of the Episcopal
"Corporation and is to the
"south of the Battle River. The
"other in the name the "Peres
"Abolition" to claims to land
"north of Battle River.

" 2nd The claim of the Methodist
"Church to lands on the south
"side of Battle River.

3rd The Church of England
"on north side.

" 4th The Presbyterian Church
"on north side

" Whatever grounds may be
adopted

Rich, Scott and Robinson.

"as to the claims of the various churches."

"1st Dr. Robinson. this is per.

"situated in two claims, one

"on behalf of the Episcopal

"separation and is to the

"south of the Battle River. the

"other in the name the 'Per

"Abolition' to claims to land

"south of Battle River

"2nd the claim of the Methodist

"Church to land on the south

"side of Battle River.

3rd the Church of England

"on both sides.

4th the Presbyterian Church

"on both sides

"but other grounds may be

added

"adapted in connection with
those churches they should
I presume be all treated on
the same basis."

"Whether claims are for
fund through purchase or
gift to these churches or other
may be ignored, as the parties
take made such sales or gifts
had nothing to do with the
only thing they had was
their improvement fund
had not even that."

"Would recommend that
each of these churches be
granted to the extent of one
dollar (a lot) at one half the
usual price; whether or not
they wished to purchase they
be permitted to do to the extent
of

"adopted in connection with
 "those churches they should
 "I presume be all treated on
 "the same basis.

"Whatever claims are pre-
 "ferred through purchase or
 "gift to these churches by others
 "may be ignored, as the parties
 "who made such sales or gifts
 "had nothing to bestow the
 "only thing they had was
 "their improvement. Several
 "had not even that.

"I would recommend that
 "each of these churches be
 "granted to the extent of one
 "block (20 lots) at one half the
 "upset price; whatever more
 "they wished to purchase they
 "be permitted to do to the extent

I

"of another block at the upset
"price. This will give the R. C
"Church 20 lots on the south side
"of River and 20 lots on the north
"side at those rates. As however
"that Church has spent, & probably
"will continue to spend in im-
"provements double what the other
"Churches are likely to, the accus-
"ation of favoritism towards
"that Church cannot be urged
"as against this action.

"It will probably be urged
"that it is customary for parties
"who have town plots which they
"wish to dispose of to make free
"gifts of a reasonable area for
"the erection of churches thereon
"and that the Govt should do
"likewise. It may be that the
Land

"of another block at the upper
 side. This will give the D. S.
 Church a lot on the south side
 of river and a lot on the north
 side at that rate. As however
 that Church has spent, & probably
 will continue to spend in im-
 provement double what the other
 churches are likely to, the con-
 sideration of favoritism towards
 that Church cannot be urged
 as opposed to this action.
 "It will probably be urged
 that it is customary for parties
 who have been placed which they
 wish to dispose of to make the
 gift of a reasonable sum for
 the erection of churches thereon
 and that the Govt should do
 likewise. It may be that the
land

at one half the retail price.
give a lot free, balance of stock
has been ordered so as to
I think this recommendation
be made."

"Land Board or the Minister
will concur in that view, if
"so this recommendation can
"be made."

I think this recommendation
has been amended so as to
give 2 lots free, balance of block
at one half the upset price.

No 22154

Battleford January 10th 1880.

859

Sir,

I have the honor, in compliance with Mr. Lestock Reid's directions, to forward to you the following statements in reference to the claims on land in Battleford of the Right Reverend D^y Grandin, Roman Catholic Bishop of St. Albert, in whose diocese this place is situated -

Bishop Grandin claims two separate pieces of land in Battleford

claim No 1

The first claim being about one and a half acres is situated in the north side of the main travelled road running East and West and extends northerly to Battle River and is partly fenced. On this claim

Battleford January 10th 1880.

Ms 22107

853

Sir,

I have the honor, in compliance with Mr. Stetson's directions, to forward to you the following statement in reference to the claims on land in Battleford of the Right Reverend Bishop Francis, Roman Catholic Bishop of St. Albert, in whose diocese this place is situated -

Bishop Francis claims two separate pieces of land in Battleford. The first claim being about one and a half acres is situated on the north side of the main travelled road running East and West and extends westerly to Battle River and is partly fenced. On this

claim

blanck

888

claim there is built a good squared
log building, one end a half story
high with a log kitchen attached
at the back, both buildings being
roofed with shingles. This claim
was first taken possession of by
Louis Leature in the spring of
1878 - Louis Leature sold it to
John W. Dutheland, the 2nd
December 1878 for \$20.00 John W.
Dutheland sold the same to
Reverend F. L. M. Weston, acting
as trustee for Bishop Francis, for
the sum of \$30.00.

The second claim is
situated about twenty five yards
West of the travelled road leading
from the Mill on which are built
the Governor's and other official
residences. On this claim is erected

claim there is built a good squared log building, one and a half stories high with a log kitchen attached at the back, both buildings being roofed with shingles. This claim was first taken possession of by Louis Leonture in the Spring of 1848 - Louis Leonture sold it to John M. Sutherland, the 2nd of December 1848 for \$80.⁰⁰ John M. Sutherland sold the same to Reverend J. L. M. Lestanc, acting as trustee for Bishop Grandin, for the sum of \$325.

The second claim is *claim N^o 2* situated about seventy five yards West of the travelled road leading from the hill on which are built the Governor's and other official residences. On this claim is erected

a

859

a log building at present used as the Roman Catholic Church - and also a dwelling house which is now used as a priest-residence. There are on this claim about two acres fenced the land on which the church is situated not being fenced. This claim embracing about six acres, was first taken up by Joseph Thompson in 1877, who sold to Louis Couture, Louis Couture sold to Reverend J. J. M. Lestanc, Agent for Bishop Grandin, in the Summer of 1879.

The Bishop is desirous of retaining both the above claims for educational charitable and ecclesiastical purposes. It is his intention to use the building now on the first above described land as a school

a log building at present used as
 the German Catholic Church - and
 also a dwelling house which is now
 used as a guest-residence. There
 are on this claim about two acres
 fenced the land on which the church
 is situated not being fenced. This
 claim embracing about six acres,
 was first taken up by Joseph
 Thompson in 1877, who sold to
 Louis Bouture, Louis Bouture sold to
 General F. F. R. Weston, Agent
 for Bishop Francis, in the summer
 of 1877.

The Bishop is desirous of
 retaining both the above claims for
 educational charitable and religious
 purposes. It is his intention
 to use the building now on the
 first above described land as a
school

school house, and to erect in
addition other buildings for the re-
sidence and accommodation of
teachers. The claim number (2)
two, it is the intention of his
brother to erect a church, a
parsonage and an hospital.

I have the honor to be

Sir,

Your obedient servant.

(Sd) J. F. M. Weston
(priv)

for Bishop Francis

Wm. Russell, Esq.
Surveyor General,
Utah.

school house, and to erect in addition other buildings for the residence and accommodation of teachers. On claim Number (2) two, it is the intention of his Lordship to erect a church, a parsonage and an hospital.

I have the honor to be,

Sir,

Your obedient Servant;

(Sgd) J. J. M. Lestanc
(priest)

for Bishop Grandin

Lindsay Russell, Esq.,
Surveyor General,
Ottawa.

860

Edmonton) I Hippolyte Leduc,
 Alberta } Vicar General of St-
 Louis } Albert, O.M.I. and also
 procurator of La Corp-
 oration des Reverends Peres
 "Oblats de Marie Immaculee
 "des Territoires du Nord-Ouest"
 "make oath and say:-
 " 1st That in July 1883 an offer
 "was made to me by Mr A.
 "Macdonald, Merchant of
 "Battleford, in his own name
 "and in the name of Mr Scott
 "Registrar, also of Battleford,
 "and in the name also of
 "Captain Antrobus M.P. also of
 "Battleford to grant, release and
 "quit claim to La Corporation
 "des Rev^{ts} Peres Oblats de Territoires
 "du Nord-Ouest above mentioned,
 at

the first of the series
 was made to me by Mr. C.
 that in July 1883 an offer
 was made to me by Mr. C.
 of Bathford, in the same name
 and in the name of the Bath
 Register, also of Bathford,
 and in the name also of
 Captain Anthony M. P., also of
 Bathford to grant, release and
 quit claim to the Corporation
 the first of the series
 the first of the series
 the first of the series

"at least 15 acres of land provided
 the said Corporation build
 the new Church on which they
 considered to be their property.
 "2nd that in August 1883, the said
 Corporation agreed to erect
 the Church on the lot claimed
 by Captain Ambrose and
 granted, released and quieted
 claim to the Corporation of
 said five acres for his share,
 leaving the two other gentlemen
 above mentioned to make good
 their promise.
 "The lot given by Captain
 Ambrose and on which the
 Corporation has made since
 1883 improvement to the value
 of more than \$2000 is pointed
 out on the plan here attached
 by

"at least 15 acres of land provided
"the said Corporation build
"the new Church on what they
"considered to be their property.

" 2nd That in August 1883, the said
"Corporation agreed to erect
"the Church on the lot claimed
"by Captain Antrobus who
"granted, released and quieted
"claim to the Corporation afore-
"said five acres for his share,
"leaving the two other gentlemen
"above mentioned to make good
"their promises.

"The lot given by Captain
"Antrobus and on which La
"Corporation has made since
"1883 improvements to the value
"of more than \$3000 is pointed
"out on the plan here attached
by

860

"by a B.C.D.E.F. Instead of that-
"lot which does not agree with
"the town survey approved by
"the Department". I do here
"in the name and in behalf
"of the Corporation des Reverends
"Peres Oblats de Marie Immaculee
"de Terres du Nord-Ouest-
"apply for the grant of the
"equivalent lot pointed out-
"on the plan here attached
"by G. H. J. K. L. M. N.

"The said Corporation has
"made since August 1883 im-
"provements worth at least
"\$3000 and was induced to
"do that" by promise of a grant-
"of at least several acres of
"land for ecclesiastical
"and charitable purposes

as

as above stated.
 known before me
 "Companion this 5th of Sept 1884
 day of Sept 1884
 " W. Bruce
 Sept "

You will notice that in the
 letter of our late testator,
 dated 10th January 1880 the cap-
 tative episcopate claimed
 land on the south side of
 the Bottle River, bounded on two
 purchases, one from J. M.
 Butland, the other from
 Louis Couture. The first was executed
 on 24th June in 1878 and in
 memory of that year he sold
 to Butland for a consider-
 able sum of \$20,000, Butland sold

"as above stated.

"Sworn before me at

"Edmonton this 5th } (sgd) H. Sedus, pte. J. J."

"day of Sept. 1884

(sgd) W. Pearce

"Sept"

You will notice that in the letter of Rev. Pere. Lestance, dated 10th January, 1880 the Corporation Episcopale claimed land on the south side of the Battle River, based on two purchases, one from J. M. Sutherland, the other from Louis Couture. The first was squatted on by Couture in 1848 and in December of that year he sold to Sutherland for a consideration of \$80., Sutherland sold

to

860

to said Corporation, consideration \$325, the letter does not state at what date. The other one was squatted on by Joseph Thompson in 1877 who sold to Couture; the latter sold to the Rev. Father Lestanc acting for the Corporation in 1879. I see that I have made a pencil note that the consideration paid by the Rev. Father Lestanc was \$50. I presume I obtained this information from some one in Battleford I do not now recollect from whom however, the consideration money paid does not strengthen or weaken those claims.

I would however direct your
your attention to one point;
that

to said Corporation, consideration
 \$250, the latter does not state
 at what date. The other one was
 reported on by Joseph Thompson
 in 1877 who sold to Corliss; the
 latter sold to the Rev. Father
 Teltone acting for the Corp.
 Teltone in 1879. I see that
 I have made a pencil note
 that the consideration paid
 by the Rev. Father Teltone was
 \$250; I presume I obtained this
 information from some one
 in Boston and I do not have
 recalled from what source
 the consideration was paid
 does not strengthen or weaken
 these claims.
 I would however direct your
 attention to one point;
that

that these claims were both
 taken up subsequent to the
 reservation by the Government
 in 1870 and, furthermore,
 they are both on the Peter Ballen-
 tine claim which was one
 of a very few that was legitimate
 from residence or improvement
 prior to said Government re-
 servation. In the settlement
 of Battleford cases it has been
 recognized that Ballentine had
 a good claim to certain portions
 of the town site of Battleford
 and has in consequence re-
 ceived liberal treatment.
 As to the claims preferred
 by the other settlers to land
 on the north side of the river
 you will notice that the
Bar.

that those claims were both taken up subsequent to the reservation by the Government in 1876, and, furthermore, they are both on the Peter Ballendine claim which was one of a very few that was legitimate from residence or improvements prior to said Government reservation. In the settlement of Battleford cases it has been recognized that Ballendine had a good claim to certain portions of the town site of Battleford and has in consequence received liberal treatment.

As to the claims preferred by the Oblate Fathers to land on the north side of the river you will notice that the

Rev.

860

Rev. Father Leduc bases his claim on a gift from Capt. Antrobus, Mr Scott the Registrar, and Alexander McDonald, of five acres each making fifteen acres in all.

As the Government could not recognize any rights which these parties had to the lands consequently no title is obtained by gift from them.

Trusting that the foregoing may prove sufficiently full for the purposes required.

I remain

Dear Father Lacombe,

Yours very truly

W. Pearce
Capt

Rev. Father I have been the
 claim on a gift from Capt.
 Antioch, who sent the Register
 and elsewhere Mr. Howard
 of five years last working
 fifteen years in all.

As the Government could
 not recover any rights which
 these parties had to the lands
 conveyed to it is of
 turned by gift from them.
 trusting that the foregoing
 may have sufficiently full
 for the purpose required.

Remain

Dear Father I remain

Yours very truly

Wm. Howard
 Capt.

861

WPA
Mr Percine

To give effect to Mr
Hoyler's suggestion which I think
an excellent one, it would be
advisable a plan or tracing
should be sent Mr Frazier having
marked on it the timber limits
granted, to whom and date of
same, any who are liable to have
their grants cancelled could if
Mr Frazier applied have such done.
As this is I fancy somewhat out
of the ordinary course, that is providing
such information unless specially asked
for would suggest the opinion
of Mr Burgess thereon be obtained.

It might probably be better to
furnish such information to the
Crown Timber Agent & direct Mr
Frazier to apply to him.

12/2/86

W. P.

283

Mr. Perrier

To give effect to the
 High's suggestion which I think
 an excellent one it would be
 advisable to form a society
 should be sent but through having
 members in the United States
 present. To whom could be of
 some, and who are likely to have
 this society considered could if
 the Foreign office have been done.
 As this is a former Government
 of the ordinary course, that is forming
 such information under especially order
 for model suggest the opinion
 of the Foreign office in obtaining
 it might be better to
 furnish such information to the
 Foreign office about & direct but
 Foreign to supply to him.

H. P.

12/5/15

829

N^o 47709.private.Ottawa, 12th February, 1886

My dear Sirby,

Yours of the 30th November,
should have been answered
long ago but like many things
that should be are not done.

So far as this particular
application of Mr Mack Howes
is concerned if he writes about
it you may tell him that there
are prior applications in cover-
ing the ground he applied for
on which to erect his quartz
mill

J. S. Sirby, Esq.,

.2

- ilqps erat litms bmo, lino
- ar fo beaplib ero aitalo
erat et mo elinifit pmt
.lit tlu

lilid kf lido llo bmo lit ml

et no ter metul ellit kf
minim o do kf beilqps bmoap
llo et lino ti pmt b mial
plamibts mo tmarp et etom a
tupit minim a tpeled lad
- a erat et mo pmtar tnt
amad et fo pmtaplib elocul
bebmēts ero dpeul et litms
aitul, ailmulā daititā eares
turtit et lino beapq et ti
.pmt

b

2.

mill, and until those applications are disposed of nothing definite can be done with this.

In this and all cases for sites for mills when not on the ground applied for as a mining claim I think it will be well to make the grant an ordinary sale subject to mining right; but nothing can be done towards disposing of the same until the surveys are extended across British Columbia, which it is expected will be without delay.

2

862

3.

I can see nothing in the mining regulations to prevent the holder of a mining location erecting a mill or any other establishment thereon, the only risk he runs is that should he perfect his mining location he would have no title to the ground on which such buildings are placed; but that is a risk which no doubt any miner or mining company is prepared to take.

Yours very truly,

.6

et ni pmittere sed nos b
 .verf a dicitur pminim
 pminim o p relect et tunc
 se illi o pmittere nullo
 tunc dicitur relecto pmo
 dicit et illi pmo et nullo
 et tunc dicit et illi et
 illi et nullo pminim
 no dicitur et illi et nullo
 et dicitur et illi et nullo
 dicit et illi et nullo
 pminim et nullo et illi
 .et illi et nullo et illi
 pmo et nullo et illi

862

Memorandum.

The draft of private letter of mine to Shirley on this sheet shows what action has or can be taken on this matter at present.

Would you put this on list of files to be taken by me to Calgary next Spring, in the meantime to be kept in C. O. in case any further action may be taken on you B. 5531

G. M. Purvis, Esq.,
Secretary,
Dominion Land Board,
Winnipeg.

substant

to settle down to work and

There is no public at all
and so last winter I was
-up to return with no method of

.Tried

Let no little thing vex you

at m jet metōl et at delif p
et m, pmvpt tper juro;clat
m .0.9 m tper et at emilnoem
raitio reitruj juno edo
.18° 7'.00 wep no metōl et juro

pol. sept. 18
 present
 lowest limit
 present

Faulkner
12-11-86

830

Ottawa,

Interior,
Feb'y 1886.Memorandum,

With reference to
the annexed letter
from Mr D. R. Fraser
of the firm of Messrs
Hardisty and Fraser
in which he states
that although Mr
Hardisty has made
a number of appli-
cations to this
Department for timber
limits in the North
West Territories, yet
he has been unable

W Pearce, Esq.

Supt of Mines, Interior,
Dept of the Interior.

Ottawa.

so

830

Forb. W. 28. 19

Interior,
Feb 1880

Interior,

Mr. Wm. W. W.

With reference to
the numerous letters
from Mr. W. W. W.
of the firm of W. W. W.
Associates and Co.
in which he states
that although the
Association has made
a number of efforts
to secure the
separation of the
limits in the State
that Association, you
will have been unable

W. W. W.

W. W. W. (Ed.)
Dept of Mines, Interior,
Dept of the Interior,
Washington

as far as obtain
 any, I beg to inform
 herewith a copy
 of a memorandum
 dated the 19th of
 November, 1889, from
 the Deputy Minister
 to the late Minister
 of the Interior, which
 explains the position
 of affairs with
 respect to the applica-
 tions made by the
 Government up to that
 date. Given that
 that the records of
 this Department
 show the following
 in respect to the
 same taken place -
 in connection with

so far to obtain
one, I beg to enclose
herewith a copy
of a memorandum
dated the 19th of
November, 1883, from
the Deputy Minister
to the late Minister
of the Interior, which
explains the position
of affairs with
respect to the appli-
cations made by Mr.
Hardisty up to that
date. Since that
date the records of
this Department
show the following
correspondence to
have taken place
in connection with

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with the applications
made by Mr. Hardisty
for timber limits,
and the action that
has been taken thereon.

On the 23rd of
November 1883, in ac-
cordance with the
recommendation made
by the Deputy Minister
of the Interior in the
above mentioned me-
morandum, the Crown
Timber Agent, at
Edmonton, was instructed
to issue a permit in
favor of Mr. Hardisty
to cut timber during
the winter of 1883-84
upon vacant Land-
mire Lands, in order

with the application
 made by Mr. H. H. H.
 for the return of the
 and the return of the
 has been taken thereon.
 On the 23rd of
 November 1889, in ac-
 cordance with the
 recommendation made
 by the Deputy Minister
 of the Interior in the
 above mentioned re-
 commendation of the
 Minister of the Interior,
 the following was
 to issue a warrant in
 favor of Mr. H. H. H.
 to and return during
 the winter of 1889-90
 upon receipt of
 the above mentioned

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order that he might

have a supply of

logs in the spring

the present season

with the river

standing water

during the winter

select and apply

for a timber for the

which had not yet

been granted

applied for

the present season

of March 17th 1874

White M. P. applied on

the present season

for a timber for the

of fifty square miles

in the State of

the present season

the present season

the present season

the present season

the present season

order that he might
have a supply of
logs in the spring.
This permit was given
with the under-
standing that ^{Mr. Hardisty} would
during the winter
select and apply
for a timber berth
which had not yet
been granted or

applied for. Mr. Hardisty and the Crown

In the month ^{Timber Agent was told} notified to that effect

of March 1884, Mr. John
White, M.P., applied on
Mr. Hardisty's behalf
for a timber berth
of fifty square miles
on the North Sas-
satchewan River. This
berth was granted
to Mr. Hardisty by

by Order in Council
dated the 9th February,
1888, and on the 10th
December last, a
letter was received
here from him in
which he stated that
he was thankful
for the limit granted
him on the North
Saskatchewan River,
but that he could
not make use of it
without going to a
very heavy expense,
that he believes there
is a small patch
of timber about one ^{square}
mile ^{situated} between the
limits granted to the
Hudson's Bay Company
and

My Father in Council
dated the 9th of February
1882, and on the 10th
December last - a
letter was received
from him in
which he stated that
he was thankful
for the kind opinion
him in the
disposition
but that he could
not in any way
without going to
any heavy expense
that he believed
is a small part
of the total cost.
will be between the
limits granted to the
Hudson's Bay Company

and Captain W. J. Moore
 respectively, and that
 if this was the case
 he would like to
 obtain a license to
 cut timber thereon.
 An reply to that letter
 or sketch, showing
 the two points in
 question was sent
 to him, and he was
 told that there was
 no space between the
 two points as he
 would observe by
 referring to the
 sketch. Since then
 no communication
 has been received
 from Mr. Harshbarger
 with respect to that

and Captⁿ H. S. Moore
respectively, and that
if this were the case
he would like to
obtain a license to
cut timber thereon.
In reply to that letter
a sketch shewing
the two limits in
question was sent
to him, and he was
told that there was
no space between the
two limits as he
would observe by
referring to the
sketch. Since then
no communication
has been received
from Mr Wardisty
with respect to that

863

4 33

that limit.

On the 20th of March 1884, Mr. Hardisty applied for a timber tract on the North side of the North Saskatchewan River, three miles East of White Earth River, a tributary thereof. In reply, he was informed that there were applications of earlier date than his for the limit in question. This limit was subsequently put up to competition between the several applicants. Mr. Hardisty offered a bonus of \$100.00. Several companies

that first
On the 20th of
October 1884, Mr. Har-
rington for a number
times on the West side
of the West Coast
between River, three
miles East of White
Rock River, at the
mouth. In reply, he
was informed that
there were applications
of earlier date than
his for the same
portion. The first
was subsequently put
up to competition
between the several
applicants. The winning
offer was made of
\$100.00, the same

Lamoureux Bros offered
a house of \$150,⁰⁰ and
the verdict was ac-
corded to the latter.

I might remark
here, that Messrs
Lamoureux Bros have
a saw-mill at or
near Edmonton and
of course were
entitled to as much
consideration as the
Hardisty.

Mr Hardisty has
from time to time
made applications
for timber limits
without giving any
definite description
thereof - for instance

the

he applied for a timber
limit on Buck Lake.
No lake so designated
is shown on any
of the plans of this
Department and Mr.
Lucas a Surveyor
who had been on the
North Saskatchewan
River and its vicinity
informed the under-
signed he never heard
of such a Lake,
but Mr. Hardisty
said it was a feeder
of a small stream
a tributary of the
North Saskatchewan
River on its Eastern
side. In the month
of June 1882 Mr.

of from 1850 to 1855
 side. In the month
 River in the Eastern
 North Dakota on
 tributary of the
 of a small stream
 said it was a feeder
 but the discharge
 of such a Lake,
 required the construction
 improved the water-
 River and its vicinity
 North Dakota between
 into that been on the
 I never in business
 Department and the
 of the Palace of the
 is shown on map
 the Lake is designated
 limit on Lake Lake
 the applied for a timber

The Secretary was
 invited to attend for
 four times the
 in the State of
 Paterson River
 one of which timber
 boats would be
 sure to cover the
 territory for which
 he filed independent
 applications, the
 quantity - did not
 offer a bonus for
 any of these boats.
 The Secretary

Under Agent at
 Paterson in a letter
 to the Department
 dated the 30th June
 he has, stated that

Mr Hardy was invited to tender for four timber berths on the North Saskatchewan River one of which timber berths would be sure to cover the territory for which he filed indefinite applications. Mr Hardy did not offer a bonus for any of these berths.

The Crown Timber Agent at Edmonton in a letter to this Department dated the 3rd December last, states that

all

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all the available
timber on the North
Saskatchewan River
is held by speculators
or those who are
doing nothing with
the berths granted
them; that Mr
Hardisty will not
be able to obtain logs
for his mill, and
the Agent suggests
that all berths
upon which the
required duties have
not been performed,
be not reserved but
put up to public
competition.

He also states
that there is a very

all the available
 timber on the North
 Saskatchewan River
 is being by speculation
 or those who are
 doing nothing with
 the timber granted
 them; that the
 Government will not
 be able to obtain logs
 for his mill, and
 the Government says
 that all the
 upon which the
 Government has
 not been prepared
 to not reserve but
 put up to public
 competition.
 The Government
 that there is a

very good - however
 at Birmingham four
 hundred and that
 the estate, on hand,
 is very small; that
 in the spring with
 the St. Lawrence Bay &
 or, Messrs. The estate
 and the estate will
 have many things
 to sell; that Messrs.
 Lamersey, Owen and
 Mr. John Kelly have
 their mills on their
 estate (which are)
 situated, about fifty
 miles from Richmond,
 but that the capacity
 of their mills is
 small.

L

very good demand
at Edmonton for
lumber and that
the stock on hand
is very small; that
in the spring, neither
the Hudson's Bay Co
or Messrs Hardisty
and Fraser's mill will
have any timber
to sell; that Messrs
Laurencey, Bros and
Mr John Kelly have
their mills on their
limits which are
situated about forty
miles from Edmonton,
but that the capacity
of their mills is
small.

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I recommend
that Mr. Fraser be
informed that if he
sends to this Depart-
ment a definite
description of a timber
berth for which he
desires to obtain a
license, public com-
petition will be
invited therefor,
unless the berth he
describes is covered
by berths the grantees
of which have com-
plied with the
Regulations. If
however, the berth for
which he applies proves
to be covered by
berths

I am sure that the Government
 is not so much interested in the
 result of the present
 movement as it is in the
 description of a number
 of facts for which the
 Government is obliged to
 furnish the public with
 information. It will be
 interesting therefore
 to know the result of
 the present movement
 by which the Government
 of which I have been
 speaking might be
 regulated. It
 however, the result of
 which the public have
 to be covered by
 the Government.

for the best copy
 printed to compare
 and the facilities
 the same be received
 in General printing
 Regulation the order
 supplied with the
 of which have not
 better the of course

Wm. Lloyd Garrison

berths the grantees
of which have not
complied with the
Regulations the Orders
in Council granting
the same be cancelled,
and the public be
invited to compete
for the berths applied
for.

J. M. P.

(Copy)

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No. 1123
F & M.

Department of the Interior,
Ottawa 19th November, 1883.

Memorandum,

I have the honour
to submit for the Minister's consideration
the case of Mr. Richard Hardisty of the
Hudson's Bay Company's service, Fort
Edmonton.

Mr. Hardisty was invited, along
with Messrs. N. C. Wallace & Co., of West
York, to tender for a timber berth on the
North Saskatchewan River. Like many
other servants of the Company who have
been for the greater part of their lives in
the North-west, Mr. Hardisty seems to be
a rather simple sort of man, and, appa-
rently fearing to trust his own judgment
in

The Honorable
The Minister of the Interior.

1864

in a matter of the sort, he asked
 the Hon. Board to direct to put
 in the tender for him. Mr Smith
 wrote me under date of the 25th ult.
 that he did not quite understand what
 Mr. Harkinsy required to do, and asked
 me what the Department wanted.
 In the meantime, Mr. Smith has
 left Montreal for England, and the
 tender of Messrs. Wallace & Co. has been
 for some time in the hands of the Department.
 Mr. Harkinsy has a mill on the
 ground, which I have no doubt has
 been a great convenience to the settlers
 in the neighborhood of Cambridge. He
 had a permit for several years back
 from the timber cut under it, he supplies
 his mill. That permit has now expired.
 I think we are in duty bound to
 give the berth to Messrs. Wallace & Co.,

in a matter of the sort, he asked the Hon. Donald A. Smith to put in the tender for him. Mr. Smith wrote me under date of the 26th ult. that he did not quite understand what Mr. Hardisty required to do, and asked me what the Department wanted.

In the meantime, Mr. Smith has left Montreal for England, and the tender of Messrs. Wallace & Co. has been for some time in the hands of the Department.

Mr. Hardisty has a mill on the ground, which I have no doubt has been a great convenience to the settlers in the neighborhood of Edmonton. He had a permit for several years and, from the timber cut under it, he supplied his mill. That permit has now expired.

I think we are in duty bound to give the berth to Messrs. Wallace & Co.,

and

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and the question is what are we to do for Mr. Hardisty? Although we are putting a stop to the granting of permits, I am very much inclined to recommend that his case be made an exception, and that it be remitted to Mr. Anderson, the Crown Timber Agent at Edmonton, to arrange for Mr. Hardisty to cut on some tract of vacant Dominion Lands during the coming winter, so that he may have a supply of logs for his mill in the Spring, on the understanding that he will during the winter select and apply for, in that vicinity, some timber berth which has neither been granted to, nor applied for, by anybody else.

Respectfully submitted

(sg'd) A. M. Burgess,
D. M.

and the question is what are we to do
for the Marquis? Although we are
putting on steps to the granting of permits,
I am very much inclined to recommend
that his case be made an exception, and
that it be referred to Mr. Anderson, the
former Minister Agent at Constantinople, to arrange
for the Marquis to cut an area tract of
vacant domain lands during the coming
winter, so that he may have a supply of
logs for his mill in the spring, on the
understanding that he will during the
winter select and apply for, in that vicinity,
some timber land which has neither been
granted to, nor applied for, by anybody else.

Respectfully submitted

(Sigs) A. W. Rogers
A. W.

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Battleford, August 14th, 1884.

Sir,

I have the honor by direction of the Commissioner of Dominion Lands to enclose C. D. file No. 16352, being a dispute between Joseph W. Hurd and T. G. Jackson concerning the W. $\frac{1}{2}$, 3-48-26 W. of 2nd.

The file discloses that neither have made any valuable improvements on the said $\frac{1}{2}$ sec. Hurd states he broke 22 acres but as only 6 acres have been cropped in 1883, and the breaking done in '82, there are only 6 acres which have derived any benefit from said breaking. Hurd has, he states, financing to the value of \$6000. He purchased the supposed right of one James Muir for \$7500 which really was no right at all. Hurd had an

Interest

The Agent Dom. Lands,
Prince Albert,
Sask.

Handwritten title or header text, possibly "Handwritten, printed 1844".

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I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the purchase of a copy of the book entitled "The History of the United States from 1776 to 1844" by J. W. Aldrich, Esq. The book is now in the hands of the printer and will be ready for delivery in about ten days. I have no objection to your purchasing a copy of the book at the price of \$1.00 per copy. I am, Sir, very respectfully,
 Yours,
 J. W. Aldrich

Handwritten

at the office of the
 printer
 New York

interest in River lot No. 77 which is part of the Town plot of Prince Albert, and has received the most liberal treatment in connection therewith.

T. G. Jackson the other contestant had a H. entry, which was cancelled on the grounds of non-residence. Bares his claim on the grounds of breaking $2\frac{1}{2}$ ac in 1881, by one Hodgson for which he paid \$5000. Though Jackson put in a crop on this breaking it was a mere pretence as it was not sown nor did he reap anything.

After carefully considering all the evidence, would recommend this lot be sold to highest bidder in separate $\frac{1}{4}$ sec, one party, however, to have the right to acquire both. Notice for 30 days to that effect to be posted in your office and also notify both Hurd and Jackson. In addition to the price tendered, the purchaser to pay into the hands

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hands of the Agent for the benefit of Hurd or Jackson or both, the present cash value of the improvements made by either or both of them. Sealed tenders to be received by agent, marked on outside for what portion tendered and to be forwarded to Comr. unopened with file and copy of this letter at your authority.

The highest of any tender not necessarily accepted, nothing lower than \$200 to be accepted. Terms 4 cash, balance in one, two and three years with interest on the unpaid balance at 6% per annum, payable only.

I have the honor to be,
 Sir,
 Your obedient servant,
 Sgd. Wm Pearce,
 Supt.

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James Albert Jan 26th 96

Minister of the Int. Sec. Ottawa

I hereby tender for West half of
Section (9) Twp Township 48
Forty Eight Range 26 Twenty
Six West of the 2nd Second
Meridian at (2) Two Dollars
per acre Sum of Payments
according to Mr. McLaughlin
Local Land Agent's In. Instructions

Thos. B. Quinn
James Albert
M.W.S.

To Minister, Ottawa

James A. Moore

Minister of the Gospel
I hereby certify that
James A. Moore is a
member of the
First Baptist Church
of the City of
Memphis, Tenn.
and is duly
qualified to
perform the
duties of the
office of
Minister of the Gospel.

James A. Moore
Minister of the Gospel
First Baptist Church
of the City of
Memphis, Tenn.

James A. Moore

Memorandum
On M. A. File 6397.

The first thing on file is a declaration signed by Amable Gaudry which bears no date, the jurat to affidavit of corroborating witnesses however is dated the 22nd October 1877.

This appears to have been received at the Head Office on the 30th October, 1877, and states that Gaudry has been in peaceable possession since 1866 of a certain parcel of land situate on the north side of the Salle River partly in sections 19, 21 + 30 in Tp. 8. R. 2. East bounded on one side by Octave Allard and on the other side by Alexandre Allard, containing 40 chains in width by 2 miles in depth. This declaration is corroborated by Octave Allard + Jean Bte. Boyer.

There is nothing further on this file with reference to title, but there is some correspondence from W. J. Robinson on behalf

Memorandum
On Mr. A. B. B. B.

The first thing on file is a declaration signed by (name) bounding which bears a date, the first to affidavit of corroborating witnesses however is dated the 22nd October 1877. This appears to have been received at the head office on the 30th October, 1877, and state that boundary has been in possible possession since 1866 of a certain parcel of land situated on the north side of the Ball River partly in section 14, 21 & 20 in T. 8. R. 2. East bounded on one side by certain railroad and on the other side by (name) railroad, containing 40 chains in width by 2 miles in depth. This declaration is corroborated by certain (name) & (name) B. B. B. B. There is nothing further on this file with reference to it, but there is some correspondence from W. J. Robinson on delay.

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of Gaudry.

On M. A. File 2554.

On the 5th April, 1882, there is an affidavit from Leon Gaudry who applies for a piece of land of his father's, Amable Gaudry claim 5 chains frontage described as forming parts of sections 19 & 30, Tp. 8, R. 2. East; but does not say what particular portion of this claim he desires.

From evidence obtained from Mt Goulet dated 8th October 1885, it would appear that this claim of Amable Gaudry was a staked claim.

There is a deed dated 10th December, 1878, from Amable Gaudry to Edouard Richard of certain lands in Tp. 8, R. 2, East containing 20 chains in width by 2 miles in length, bounded to south by River LaSalle, west by Octave Allard's ten chains claim to East by what remains of vendor's claim, composed of sections 19, 30 & 31,

of
4

of boundary.

On the 5th of April, 1882, there is an affidavit from John H. A. Title 2234.
bearing witness applies for a piece of land of his father's nameable boundary claim.
shows frontage described as forming part of section 19 & 20, T. 8, R. 2, S. 1, but does not say what particular portion of this claim he desires.
From evidence obtained from the record dated 8th October 1882, it would appear that this claim of nameable boundary was a stated claim.
There is a deed dated 10th December, 1878, from nameable boundary to Edward Richard of certain lands in T. 8, R. 2, S. 1, containing a chain in width of 2 miles in length, bounded to south by river bank, and by section 19 & 20, T. 8, R. 2, S. 1, which claim to east by what remains of vendor's claim.
Compared of section 19, 20 & 21.

of

of said Tp. 8, R. 2, East. This sale is for a consideration of \$550. payment whereof is acknowledged.

It will be noticed however that in the bond from Amable Gaudry to Robert Gerrie on file 1120 M. A., the former states that claim 4:7 is bounded by Octave Allard both on the East and west sides; and in the deed from Andre Gaudry to Gerrie it says this piece is between Alexandre Allard & Octave Allard.

The file does not disclose when the patent issued, but records of H. O. show a patent was issued on the 23rd January 1884, to Edward Richard for, that part of N.E. 1/4 of Sec. 18, lying N. & W. of Salle River, and that part of S.E. 1/4 of Sec. 19 lying west of Salle River. The W. 1/2 of N.E. 1/4 of Sec. 19 also lying W. of Salle River and the W. 1/2 of E. 1/2 of Sec. 30, all in Tp. 8, R. 2, East. The file does not disclose by whom the patent was approved.

Scip to the amount of \$355. issued to Edward Richard

and
~~unseen~~

of said J.P. & Co. East. This sale
is for a consideration of \$250.
payment thereof is acknowledged
It will be noticed however
that in the bond from Amos
bonding to Robert Smith on file
1120 N.W., the former stated that
claim No. 1 is bonded by Weston
Richard both on the East and
West sides; and in the deed
from Andrew Bonding to Mary
it says this piece is between
Charles Richard & Weston Richard.
The file does not disclose when
the patent issued, but records
of it show a patent was issued
on the 23rd January 1884, to
Edward Richard for that
part of N.E. 1/4 of Sec. 18, Twp. 14N
of Range 19E and that part
of S.E. 1/4 of Sec. 19, Twp. 14S
of Range 19E. The lot of N.E. 1/4
Sec. 19 also lying W. of Ball
River and the W. 1/2 of Sec. 20,
all in T.P. & Co. East. The file
does not disclose by whom
the patent was approved.
Ship to the amount of
\$250. issued to Edward Richard

Handwritten signature

and was delivered to J. Norqua
on the 28th February, 1884.

Goulet's report, no record of
which can be found in H.O.
will show the Commissioner
whether this was a staked or
metes claim. Further the patent
may be set aside as issued
through error, though this
point might be raised, should
the Department have issued
a patent on so vague a description.

Respectfully Submitted
Wm Pearce

This is a copy of the original
of the report of the
Commissioner of the
General Land Office
dated 15th Feb 1884

and was delivered to the
on the 28th February 1884.
to have a report, no record of
which can be found in H.O.
will show the Commissioner
whether this was a stolen
patent claim. Further the patent
may be set aside as issued
through error though this
point might be raised, should
the Department have issued
a patent on a vague or descriptive

Mr. H. J. ...
...
...

1884 (1882)
J. H. ...
...

Memorandum.

This was the cancelled Homestead and Pre. emption of John Robinson W. B. 2. 14 10¹/₂ on which two sessions ago there was a motion made for the papers by Mr. Blake.

This $\frac{1}{2}$ section was offered for sale to highest tender. Robinson offered \$2⁵⁰ per acre. Wallace \$3⁵⁰ and it was accorded to latter in December, 1883, and I think $\frac{1}{4}$ cash was paid on it, and also subject to Homestead conditions.

In February 1885 the late Commissioner on Wallace's request permitted him if he wished to homestead 160 and pre. empt 160, the price of latter to be \$4⁰⁰ per acre, what he had paid on whole to be applied on Pre. emption. Thus a concession of \$460 was granted, $320 \times 3\frac{1}{2} = 1120$, $160 + 4 = 640 + 20 \text{ H\&S fees} = 660 \vee 1120 = \460 .

Memorandum

This was the cancelled
 forwarded and the completion of
 John Robinson was 2.14.10% on
 which two sessions ago there
 was a motion made for the
 papers by Mr Blake.
 This section was offered for
 sale to highest bidder, Robinson
 offered \$2.50 per acre, Wallace \$3.50
 and it was accorded to latter
 in December, 1883, and I think
 \$4 cash was paid on it, and also
 subject to standard conditions.
 In February 1885 the late Com.
 missioner on Wallace's request
 permitted him if he wished
 to standard 100 and pr. emp.
 100, the price of latter to be \$4.00
 per acre, what he had paid
 on whole to be applied on
 pr. emp. This a concession
 of \$4.00 was granted, 320 x 32 = 1120,
 100 x 4 = 400 + 20 = 420 + 20 = 440

I do not know whether he accepted or not but it was a sufficiently liberal offer being \$140 less than Robinson's offer, and I don't think anything more liberal should be conceded.

Respectfully Submitted

W. P.
H. Pearce

to not know whether he accepts
it or not but it was a sup-
posedly liberal offer being
\$140 less than Robinson's offer.
and I don't think anything
more liberal should be considered.

Respectfully submitted

W. D. [Signature]
1870

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1111

Re. Augustus Carvey.

On 12th March 1883, J. A. Gemmel applies to Minister Interior on behalf of A. Carvey, asking he be granted the E $\frac{1}{2}$ Sec. 10. 24. 10. 3rd. This was one of 10 applications filed on same day by Mr. Gemmel for lands at Calgary.

On 25th August 1883, a reply is sent him stating the lands are not yet surveyed, when they are, applications are to be made through the Local Agent and particular attention is directed to the provisions of sub-section 5, section 34 of Dominion Lands law as amended by Act 45, Vic. Cap. 26, by which the Government was not bound to protect persons settling in advance of survey. This provision was first embodied in the Dominion Lands Act on 7th May 1880.

In the latter part of September 1883 I visited Calgary found Mr. Carvey ~~living~~ where
he.

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Dr. Unpublished Copy

On 12th March 1883, J. C. Bennett
 applies to Minister Interior on
 behalf of A. Corney, asking he
 be granted the 8th Sec. 10. 24. 11. 20. 25.
 This was one of 10 applications
 filed on same day of the same
 for lands at Coldway.

On 25th August 1883 a reply is
 sent him stating the lands
 are not yet surveyed, when they
 are applications are to be made
 through the local agent and
 particular attention is directed
 to the provisions of sub-section 2,
 section 34 of Dominion Lands Act
 as amended by Act 4th 11. 20. 25.
 by which the Government was
 not bound to protect persons
 settling in advance of survey.
 This provision was first embodied
 in the Dominion Lands Act
 on 7th May 1880.

In the latter part of Sep.
 1883 I visited Coldway
 found the Corney family

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he now is near the South East angle of the S.E $\frac{1}{4}$ of Section 10. His improvements were not material, a few acres of breaking which to this day has not been enlarged, a house and some fencing. On this portion allotted to Carvey are located a dwelling house, slaughter house, corrals, stable &c, which improvements are of considerable value and are owned by one Sparrow, a butcher of Calgary, to whom Mr Carvey informed me, he had promised to give a deed so soon as he obtained patent for the land. Carvey informed me that he had been living on this claim for a few days, that is since the arrival of his wife in that district. That he came to this country as lumberman for the Cochrane Rancho Co., in July 1882, and had been in their employ or that of their successor most of the time up to that date. Up to the present he has been engaged in lumbering. He

stated

the house is near the South East
 corner of the S.E. 1/4 of Section 10.
 This improvement was not water-
 tight, a few acres of breaking
 which to this day has not
 been enlarged, a house and
 some fencing. On this portion
 allotted to Carney are located
 a dwelling house, barn, stable,
 house, corral, stable &c, which
 improvements are of considerable
 value and are owned by one
 Sparrow, a butcher of Colquhoun
 to whom the Carney informed
 me, he had promised to give
 a deed as soon as he obtained
 patent for the land. Carney
 informed me that he had been
 living on this claim for a few
 days, that is since the arrival
 of his wife in that district.
 That he came to this country
 as lumberman for the Columbia
 Lumber Co. in July 1882, and
 had been in their employ or
 that of their successor until
 of the time up to that date.
 Up to the present he has been
 engaged in lumbering.

868

stated also he built a house on the Mounted Police Reserve being that portion of the N.E. 1/4 of Sec 10, lying north of the Elbow River. Major Dowling of the Mounted Police stated, ^{in 1884} he had permission from the Police officers to erect this house in which to store lime and that he was to remove it when required.

(I think it was by 1883)
 In Carvey's letter addressed to the Deputy Minister dated 21st January 1884, he states that in September 1882 he settled on the N.E. 1/4 10 and commenced to plow, but was told by Officer Commanding the Mounted Police Force that he would not be permitted to cultivate any land on the bottom (that is on the portion north of Elbow River) that he was allowed to build a residence which he occupied and still owns, (that is the house. Dowling stated he had been permitted to erect for the purpose of storing lime)

that afterwards he again began to plow where he ~~was~~

old

stated also to build a house on
the vacant lot Police Reserve being
that portion of the N.E. 1/4 of Sec 10,
lying north of the Elbow River.
Major Downing of the mounted
Police stated he had permission
from the Police officers to erect
this house in which to store
lime and that he was to re-
move it when required.

In Carnoy's letter addressed
to the Deputy Minister dated
21st January 1884, he states that
in September 1882 he settled on
the N.E. 1/4 10 and commenced to
plow, but was told by Officer
Commanding the mounted
Police that he would not
be permitted to cultivate any
land on the bottom (that is
on the portion north of Elbow
River) that he was allowed
to build a residence which he
occupied and still owns (that
is the house Downing stated he
had been permitted to erect
for the purpose of storing lime)
that of course he opposes
erecting a place where he

868

told personally by the Police Authorities that if he persisted his house would be removed by force.

He cannot state that he had peaceable and undisputed possession of that piece.

He states some time afterwards a Half-breed commenced to build on the same $\frac{1}{4}$ section, when he, Carvey, notified him that he was in possession of said $\frac{1}{4}$ section and not to make any improvement. The Half-breed replied as Carvey's house was north of the Elbow and his was south, he intended remaining there.

Finding that he was not allowed to cultivate the N.E. $\frac{1}{4}$ he then commenced cultivating the S.E. $\frac{1}{4}$.

In a letter on file from Carvey addressed to John White M. P. Hastings, he states he drew logs to build on the south side of the River, when at night some parties rolled the logs into the River he hauled them

out

told personally by the Police
 authorities that if he persisted
 his horse would be removed
 by force.

He cannot state that he had
 possession of that place.
 He states some time after.

would be a staff. Good commenced
 to build on the same # section
 when he came, notified him
 that he was in possession of
 said # section and not to make
 any improvement. The staff
 good replied as Carnup have
 was part of the bluff and
 his was part, he intended
 remaining there.

Thinking that he was not
 allowed to cultivate the 16 #
 he then commenced cultivation
 in the 8 #.

In a letter on file from
 Carnup addressed to John White
 Mr. P. Whiting, he states he
 drew logs to build on the south
 side of the River, when at night
 some parties rolled the logs
 into the river he wanted them

868

out and built on the north side and was told by the Mounted Police he would not be permitted to homestead or cultivate on that side, as it was reserved for Mounted Police purposes, at that date states he is the victim of an organized plan to be defrauded of his claim and states that a H.B.C. official and a certain clergyman are his enemies.

From Carveup own statement it is clear he can lay no claim to any portion of section 10 north of the Bow River. His house is worth to day just the value of the logs in the walls. No floor, sod roof, no door or windows and it was in that condition in September 1883, except that possibly there then may have been one door and one window in the building.

In a declaration of Amouel ~~sur~~, dated 11th December 1883, corroborated by Paul Fayant and James House, he states that he has resided at Calgary since 1875, that

out and built on the north side
and was told by the mounted
police he would not be permitted
to travel or communicate or
that side as it was reserved
for mounted police purposes, at
that date states he is the victim
of an organized plan to be
framed of his claim and
states that a #135 official and
a certain Chapman are his
enemies.

From Camp over statement
it is clear he can lay no claim
to any portion of section 10 north
of the above river. His share is
worth to say just the value of
the log in the walls. No floor,
but roof, no door or window
and it was in that condition
in September 1883, except that
possibly there then may have
been one door and one window
in the building.

In a declaration of Unlawful
Act, dated 11th December 1883, Col.
Robertson of Fort Stanton and
James Thayer, he states that he
has resided at Colapony since 1883
that

868

that in the Spring of 1876 in partnership with Paul Fayant he commenced improvements on what is that portion of the N.W $\frac{1}{4}$ of Section 10, lying East and South of the Elbow River. That Fayant since that date has resided thereon and cultivated the same continuously. That in September 1882 (which is one year before Carvey took possession and personal residence) he erected a dwelling house and other buildings broke an acre on the N.E $\frac{1}{4}$ and since that time has continuously resided, (I think he has continued to do so up to the present time).

That the reason he did so erect buildings on the N.E $\frac{1}{4}$ of Section 10, was because on survey he discovered the improvements of Fayant and himself were on the N.W $\frac{1}{4}$ and that they ^{settled} ~~settled~~ together with the view of each acquiring a Homestead.

It might be mentioned that
Fayant

that in the spring of 1870 in
 partnership with Paul Thompson
 he commenced improvements
 on what is that portion of the
 N.W. 1/4 of Section 10, Twp 30 N.
 and East of the Elbow River.
 that Thompson since that date
 has resided thereon and con-
 tinued the same continuously
 that in September 1882 (which
 is one year before current tax
 possession and personal residence
 he erected a dwelling house
 and other buildings on the
 one on the N.E. 1/4 and since
 that time has continuously
 resided, (I think he has con-
 tinued to do so up to the pre-
 sent time.)
 That the reason he did so
 erect buildings on the N.E. 1/4 of
 Section 10, was because on
 survey he discovered the im-
 provement of Thompson and him-
 self were on the N.W. 1/4 and that
 they ~~erected~~ ^{erected} together with the
 view of each acquiring a
 homestead.
 It might be mentioned that
 Thompson

868

Fayant claimed he should be permitted to acquire as a home stead, 100 acres out of section 10 East of the Elbow River, and although the oldest settler has accepted in satisfaction of his claim all that portion of the N.W. 4 lying East of the Elbow River containing about 55 acres.

It was felt that Annouise certainly had as good a claim as Carvey to that portion of E. 1/2 of section 10 lying East and South of the Elbow River and the only thing that remained was to divide it between them which was done as shown on accompanying sketch giving Carvey 120 acres and Annouise 103 acres.

So far Carvey has proved very little if any better settler than Annouise as an agriculturist.

Carvey has devolved his attention chiefly to lumbering working for the Cochrane Ranch, Major Walker, and the Calgary Lumber Co., and Annouise to working for Hudson Bay Company.

She

Torrey claimed he should be
 permitted to acquire as a home
 about 100 acres out of section 10
 east of the Elbow River, and as
 though the oldest settler has
 accepted in satisfaction of his
 claim all that portion of the
 N.W. 1/4 lying east of the Elbow
 River containing about 50 acres
 it was felt that Torrey

certainly had as good a claim
 as Torrey to that portion of
 section 10 lying east and
 south of the Elbow River and
 the only thing that remained
 was to divide it between them
 which was done as shown on
 accompanying sketch giving
 Torrey 120 acres and Torrey
 100 acres.

As far as Torrey has proved very
 little if any better title than
 Torrey as an applicant.
 Torrey has devoted his at-
 tention chiefly to lumbering
 working for the Canadian Pacific
 Paper Works, and the Calgary
 Lumber Co., and Torrey is
 working for the Canadian Pacific

868

The quality of the portion granted Carney is much better from an agricultural point of view than that granted Annouse.

On the 16th June the Agent Calgary was instructed to grant Annouse and Carney entry as here indicated. Annouse has since made entry but so far I think Carney has not, at least he had not a short time since. He, in July last, wrote a letter to the Calgary Town Council and also the Calgary Board of Trade soliciting those bodies to try and obtain for him what he claims, viz: that part of section 10, lying north of the Elbow River, and also the whole of the S.E. $\frac{1}{4}$ of the section, claiming in the allotment given he had been most unjustly treated. The Calgary Town Council refused to have anything to do with the matter, the Board of Trade through their President, Major Walker, asked me to attend the meeting at which this matter was to be discussed, he expected but Carney

to

the quality of the paper printed
 convey is much better than
 an official print of view
 than that printed elsewhere.
 On the 10th June the report of
 party was instructed to grant
 favorable and convey entry as
 here indicated. Unfavorable has
 since made entry but so far
 I think convey has not, at least
 the fact not at that time since
 the, in July last, wrote a letter to
 the Calgary Town Council and
 also the Calgary Board of Trade
 soliciting their advice to try
 and obtain for him what he
 claims, viz: that part of section
 lying north of the Elbow River
 and also the whole of the E.B.
 of the section, claiming in the
 attachment given he had been
 most unjustly treated. The Calgary
 Town Council refused to have
 anything to do with the matter,
 the Board of Trade through their
 President, Major Walker, asked
 me to attend the meeting at
 which this matter was to be
 discussed, he expected the convey

868

to be present to supplement his letter orally with anything he might desire. I attended said meeting and made the explanations I have here, stating on no account could Carvey's claim to that portion of section 10, north of the Elbow be recognized, but that if he proved a good settler when entitled to patent I would recommend to the consideration of the Minister, that in addition to this he be granted 40 acres additional, making 160 acres in all, to be satisfied by a L. S. of any section open for ordinary Homestead and Pre-emption entry. I think now that is much too liberal an offer. After hearing my explanation the Board of Trade in a resolution gave me a vote of thanks and stated they thought Carvey had been liberally treated. ^{Many members of the Board were personally cognizant of many of the facts here stated.} I have never met Mr. Carvey since September 1883 though I have repeatedly left word

J
Carvey

to be present to supplement his
 letter orally with anything he
 might desire. I attended said
 meeting and made the ex-
 planations I have here, stating
 on no account could Carney's
 claim to that portion of
 section 10, north of the bluffs be
 recognized, but that if he
 proved a good better when
 entitled to patent I would
 recommend to the consideration
 of the minister, that in ad-
 dition to this be granted
 40 acres additional, making
 100 acres in all, to be satisfied
 by a S. & of any section open
 for ordinary homestead and
 pre-emption entry. I think
 now that is much too liberal
 an offer. After hearing my
 explanation the Board of
 Trade in a resolution gave me
 a vote of thanks and stated
 they thought Carney had been
 liberally treated. I have been
 since September 1883 through
 I have repeatedly left word

868

I should like to see him so as
to explain the position of
matters affecting this claim
but he never called on me
and I understand states
I have treated him very badly
but on what grounds I am
at a loss to conjecture

Wm. L. P.
H. Pearce

I should like to see him so as
 to explain the position of
 matters affecting this claim
 but he never called on me
 and I understood that
 he had treated him very badly
 but on what ground I am
 not sure to say

J. H. Rogers
 J. H. Rogers

Memorandum.

The following is a copy of my report on Park lot III St. Andrews made in 1876.

"This park has a fair fence, the greater portion being under crop, cultivated by John Folster. I was informed by George Folster that this park was formerly owned by Donald McDonald who neglected to cultivate it and about 5 or 6 years ago John Folster took possession of it and has ever since had such possession."

Such explains why it was put down in the name of John Folster but from evidence on file there is no doubt it should go to the McDonald Estate.

In yours, 32198, B6349 of 9th February 1886, I do not know to what

H. H. Smith, Esq.
Commr. Dominion Lands.
Winnipeg.

Memorandum

The following is a copy of
my report on the 1st of
October made in 1870.

"This park has a fair share
the greater portion being under
care, cultivated by John Foster.
It was informed by John Foster
that this park was formerly
owned by Howard M. Howard
who expected to cultivate it
and about 5 or 6 years ago John
Foster took possession of it and
has ever since had such
possession."

Such explanation being it was
put down in the name of John
Foster but from evidence on
file there is no doubt it should
go to the Howard estate.
In your 3218, 3219 of P.
February 1880, I do not know to
what

H. H. Smith, Esq.
Commons House of Lords.
Laminated

869 What lots in rear you allude.
From McDonald's will he appears
to have owned lot-128. This park
is situate on lots 119 and 120,
and there is nothing on file
showing reference to anything
except Part 7 lot-111.

Respectfully submitted
1294 Wm Pearce.

which lot in rear of our blocks
 shown for records will be shown
 to have covered lot 1 & 2. This part
 is situated on lot 119 and 120
 and there is nothing on file
 showing reference to anything
 except lot 1 & 2.

868

Respectfully Submitted
 J. W. Jones

16th February 0.

Sir,

Mr. Inspector Gordon has written me that you had made the following request:

"Would you be kind enough to have sent to my address officially the basis on which the disputed claims of this District were adjusted."

As you were assistant Agent at Prince Albert when the claims there were adjusted and had helped to propose the different Schedules and also were there when the decisions

Y

P. G. Gauvreau, Esq.,
Agent of
Dominion Lands
Edmonton.

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18-10-1907

Sir,

Mr Inspector Gordon has written me that you had made the following request: "Would you be kind enough to have sent to my address officially the basis on which the disputed claims of this district were established."

As you were assistant agent at Prince Albert when the claims there were established and had helped to prepare the different schedules and also were there when the decisions

Wm. J. Gordon, Esq.
Agent of
Indian Affairs
Department.

Yr

of the General Council, were
 received, and for nearly
 two months after, it was
 thought for would be
 sufficiently conversant
 with the subject not to require
 need special instructions,
 besides at Colmar there
 were so very many cases,
 as complicated that no two
 scarcely could be brought
 under the same general
 class, and as the work of
 the session was becoming
 the office had not been
 available to send full copies
 of reports on each case, if that
 were done considerable
 delay would have ensued
 and the parties there were
 telegraphing asking they
 be notified what were the
 decisions.

of the Land Board, were received, and for nearly two months after, it was thought you would be sufficiently conversant with the subject not to again need special instructions, besides at Edmonton there were so very many cases, so complicated that no two scarcely could be brought under the same general class, and as the work of the Session was pending the office had not force available to send full copies of reports on each case, if that were done considerable delay would have ensued and the parties there were telegraphing urging they be notified what were the decisions. When however

it

it became apparent either you had not explained to them, or they had failed to accept your explanation and being told by parties from Edmonton that if any reasonable explanation was given these people they would be satisfied.

I wrote you unofficially on the 23rd July 1885, which letter contained among other matters the following.

Every claim has been treated on the same terms that would have been accorded applicant if at date he first bona.fide settled on his place, the land had been surveyed, office opened for duty and he had gone forward & made entry ~~and he had gone forward~~ and

it became apparent either
 you had not explained to
 them, or they had failed to
 accept your explanation
 and being told by parties
 from Cornwall that it
 was reasonable explanation.
 There was given these facts.
 The they would be satisfied
 I wrote you unofficially
 on the 23rd July 1882, which
 letter contained around
 other matters the following.
 'Every claim has been
 treated on the same terms
 that would have been ac-
 cepted of. It is at least
 the first time. It is settled
 on his place, the Canal has
 been surveyed, office opened
 for duty and he had gone
 forward & made only
~~and he had gone forward~~
and

870

and made every effort
 if since then he has done
 nothing to perfect his rights
 if there is any case where
 such has not been accorded
 it has been the fault of the
 applicant in not stating
 his case fully enough and
 it is one which I would
 only too gladly remedy.
 To be brief in explanation.
 It might be stated the
 land claims were adjusted
 on the following basis:
 Any person who bore
 title received on his claim
 prior to 1st Sept. 1880 received
 a free Homestead for a time
 but not exceeding 100 ac. Any
 excess over that area being
 sold him at \$1.25 per ac.
 If resident upon a quarter
 he received a free A.
 and

and made entry and if since then he has done nothing to forfeit his rights. If there is any case where such has not been accorded it has been the fault of the applicant in not stating his case fully enough and it is one which I would only too gladly remedy.

^{For} To be brief in explanation it might be stated the land claims were adjusted on the following basis:

Any person who bona-fide resided on his claim prior to 1st Sept: 1880 received a free Homestead for a River Lot not exceeding 160 ac. Any excess over that area being sold him at \$1.00 per ac. If resident upon a quarter Sec. he received a free H.

and

and if an adjacent $\frac{1}{4}$ sec. were available was permitted to P. it, at \$1.⁰⁰ per ac.

"Those who settled subsequent to 1st Sept-1880 were treated similarly excepting that the P. portion was \$2.⁰⁰ per acre."

"Lots at St. Albert resided upon prior to 1st July 1870, when area of lot did not exceed 100 ac was granted patent free. when area greater, 100 ac granted free balance at \$1.⁵⁰ per ac.

which was as liberal as act permitted (Sec. Sub-sec f. Sec. 81. Hb Vic. Cap 17). That some of these lots were very small arose from fact of people settling too closely together not my fault, nor that of the Gov.^y"

and if an adjacent lot was
available was permitted
to be cut off for one
lot who settled under.

present to 1842-1843 were
treated similarly regarding
that the 1843 portion was 1843
per acre.

lots at St. Albans and
lot upon prior to 1843 July 1843
when area of lot did not
exceed 100 ac was permitted
patent free. When area
greater 100 ac permitted free
balance at \$1.00 per ac.

which was as liberal as lot
permitted (see sub-see 7. 2. 1843).
No line. (p. 17). That some of
these lots were very small
arise from fact of people
settling two closely together
not my fault, nor that of
the Govt.

"In some instances
 questions of liability affect
 and claims, where it would
 be very expensive or perhaps
 impossible in any event
 very expensive to applicant,
 being purely a matter of
 law, I recommended ap-
 plication under A. provision
 of the U.S. Act, it could then
 be treated administratively
 thereby saving time and
 expense to applicant."

"As regard to purchased
 lands the holder was accord-
 ed the same privilege as if
 he were an original claim-
 ant when by improvement
 or residence the bona-fides
 of the party from whom he
 purchased was established."

"It may be that many
 doubt, but that they are
treated

"In some instances questions of heirship affecting claims, where it would be very expensive or perhaps impossible, in any event very expensive to applicant, being purely a matter of law, I recommended application under the provisions of the D.L. Act, it could then be treated Departmentally thereby saving time and expense to applicant."

"In regard to purchased lands the holder was accorded the same privilege as if he were an original claimant when by improvement or residence the bona fides of the party from whom he purchased was established."

"It may be that many protest, not that they are treated

treated harshly but they consider not so favourably as others. Such a feeling is certain to arise whenever there are many cases. In Edmonton there were upwards of 240. Each case was treated on evidence offered, it may be some told a better story than the facts warranted others not nearly so good a one, I did my best to obtain all the facts, did not know the parties personally, therefore had to be guided wholly by the evidence offered.

"I notice several cases where the parties obtained all they asked, and now protest against the decisions as being extortionate, unjust and

treated harshly but they are
 sides not so favorably
 as others. Such a feeling
 is certain to arise whenever
 there are many cases. In
 Baltimore there were up-
 wards of 240. Each case
 was treated on evidence
 offered it, may be some
 told a better story than
 the facts warranted others
 not nearly so good a one.
 I did my best to obtain
 all the facts, did not know
 the parties personally.
 therefore had to be guided
 chiefly by the evidence
 offered.
 I notice several cases
 where the parties obtained
 all they asked, and were
 great against the claim
 as being exorbitant, unjust
 and

and unfair. I am sure
 that it is not.

This was sent you
 officially as I thought you
 would prefer it should not
 be made one of record in
 your office. But you might
 think it a reflection on
 your abilities as agent
 that having had the opinion
 from your already had
 you would require to be
 instructed on these points.
 Though unofficial there is
 no reason why you should
 not utilize any information
 that it contains.

Mr. H. C. C. stated to
 me that from his experience
 in Colorado which he
 believed there would have
 been little or no dissatis-
 faction there had the govern-

and unfair". e.g. John Norris Jr.,
Dowler, &c.,.

This was sent you unofficially as I thought you would prefer it, should not be made one of record in your office. but you might think it a reflection on your abilities as Agent that having had the experience you already had you would require to be instructed on these points. Though unofficial there is no reason why you should not utilize any information it contains.

Mr H. D. Cote stated to me that from his experience in Edmonton District he believed there would have been little or no dissatisfaction there, had the grounds
on

on which these decisions were based ~~were~~ clearly explained to claimants, I regret now very much that full synopsis of the evidence was not sent in each case, so that it would then no doubt have been explained as it was anticipated it should be.

In any case in which you cannot explain the grounds for decision by writing the H.O. I have no doubt a full synopsis of the report & summary of evidence will be sent you.

I have the honor to be,
Sir,
your obedient servant.

W. H. H. H.
Capt.

on which these decisions
were based ~~were~~ clearly
explained to claimants.
I regret very much
that full synopsis of the
evidence was not sent
in each case, so that it
would then be doubt-
less have been explained as
it was anticipated it should
be.

In any case in which
you cannot explain the
grounds for decisions by
writing the A.O. I have
no doubt a full synopsis
of the report & summary
of evidence will be sent
you.

I have the honor to be,

Sir,

your obedient servant.

W. H. H. H.
J. H. H. H.

16th February 6.

Sir,

I have the honor to enclose herewith copy of a letter from me addressed to the Edmonton Land Agent, which if it meets with your approval please forward him.

I send it through you because, all such communications should pass through your hands so that your office should have record of the same and further they should not be sent, if they do not meet with your approval, and it may be, I have been more

H. H. Smith, Esq.

severe

Commissioner of
Dominion Lands,
Winnipeg.

16-1/2 January 0.

21

I have the honor to en-
close herewith copy of a
letter from one addressed
to the Commissioner General
agent, which if it meets
with your approval please
forward him.

I send it through you
because, all such commun-
ications should pass through
your hands so that your
office should have record
of the same and further
they should not be sent
if they do not meet with
your approval, and it-

may be I have been more

ever

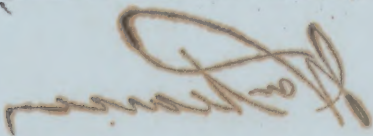
H. A. Smith, Esq.,
Commissioner of
Administration
Baltimore.

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serve on the agent whom
 the facts warranted.
 I should also like to
 obtain the opinion of the
 Inspector General who knows
 the agent and people
 of Colorado and is
 conversant to a considera-
 ble extent with the circum-
 stances before this is sent.
 Please advise me
 whether it has been for-
 warded as promised by me.
 I have the honor to be,

Sir,

Yours obedient servant,


 J. H. Thompson

severe on the agent than
the facts warranted.

I should also like to
obtain the opinion of Mr
Inspector Gordon who knows
the Agent and people
of Edmonton and is
conversant to a considera-
ble extent with the circum-
stances, before this is sent

Please advise me
whether it has been for-
warded as penned by me.

I have the honor to be,

Sir,

Your obedient servant,

Wm. H. H. H.
Capt.

838-338
Memorandum.On N. O. File 56363N/A 16-20-11 W 2nd

I have looked over this file. You will notice that the cancellation was initiated at the time cancelled lands were not open for reentry, but when they were the price fixed for the preemption was \$3⁷⁵ per acre.

I think, considering the reductions that have been made in other cases, it would only be fair in this one to reduce the price to \$3⁰⁰, or probably \$2⁷⁵ is sufficient, allowing Mr. Ross to apply what he has already paid on the basis of \$3⁷⁵, in part payment of the amount which would be payable at the reduced figure.

Respectfully submitted

W. Pearce

The Secy.

The Minister
of the Interior.

Reverend

Dr. J. V. F. 25323

11/16-20-11 W 2nd

I have looked over this file.
You will notice that the con-
sultation was initiated at
the time cancelled lands were
not open for reentry, but
they were the price paid for the
consultation was \$32 per acre.
I think, considering the reduc-
tion that has been made in
other cases, it would only be
fair in this case to reduce the
price to \$30, or probably \$25.
is sufficient, allowing Mr. F.
to apply what he has already
paid on the basis of \$32, in
part payment of the amount
which would be payable at
the reduced figure.

Respectfully submitted

[Signature]

[Signature]
The Minister
of the Interior

Memorandum. H. O. 4/593.

On 17th February 1882 a petition was received from 24 settlers asking one Donald Mc Donald be permitted to make entry for them under Homestead Provisions in the North West Territories. D. Mc Donald himself asks to have the privilege of settling townships.

On March 6th that provision is granted so far as entry for said 24 settlers is concerned.

On March 10th the receipt of said authority is acknowledged.

On 11th April one William Godfrey applies for permission to be granted D. Macdonald to make entry for him.

On the 11th April authority is asked by 12 others to be given Macdonald.

On 17th April authority is given except in the case of one Robert Wilson which omission is undoubtedly an oversight.

On

Memorandum H. A. #1093

On 17th February 1882 a petition was received from 24 settlers asking overland Mr. Donald be permitted to make entry for them under Homestead provisions in the North West Territories. Mr. Donald himself calls to have the principle of settling without ships.

On March 5th that provision is granted so far as entry for said 24 settlers is concerned. On March 10th the receipt of said authority is acknowledged. On 11th April overland Homestead application for permission to be granted. Mr. Donald to make entry for him. On the 11th April authority is asked by 12 others to be given. Unrecorded.

On 17th April authority is given except in the case of Mr. Robert Wilson which remains is undoubtedly an oversight.

On

On the 19th April the receipt of such authority is acknowledged.

On the 21st April like authority is requested by 21 persons.

There is no draft of this authority on file but endorsement on the back shows such authority was granted on 3rd May 1882.

That is authority is requested by 58 and granted to 57 of them. if D. Macdonald is included it will make 59.

On August 4th one E. B. Proctor writes on behalf of this colony that the lands had been selected in Townships 21, 22 & 23, in Ranges 16 & 17 west of 2nd the survey not being completed asks if entry can be granted and that some of the parties have gone out and that there is some breaking done on each half section.

On 17th August he is told Township 21 in Range 16 & 17 is open for entry and 22 & 23 are being surveyed.

On November 8th A. H. Macdonald of Guelph writes that the land has been selected and some improvements

On the 19th April the receipt of
such authority is acknowledged.
On the 21st April the authority
is requested by 21 persons.

There is no draft of this au-
thority on file for consideration
on the bank where such authority
was presented on 27th May 1882.

That is authority is requested
by 28 and granted to 27 of them.
if a receipt would be included it
will make 29.

The receipt of 29 is 28
written on behalf of this company
that the bank has been selected
in township 21, 22 & 23, in Range 16
1017 and 21st the survey was.

being completed with it being
can be printed and that
some of the parties have gone
out and that there is some
breaching done on each half section.

On 1st August it is told
township 21 in Range 1017 is open
for entry and 22 & 23 are being
surveyed.

The Receiver of the H. Macdonald
of township written that the bank
has been selected and some

improvements

873 improvement made but owing to Agent of 2nd Appelle District not having arrived entries could not be made and asks if they can be made at Ottawa before he returns to the North West this fall.

On 24th November he is told they must be made before the Local Agent.

On March 10th Proctor writes stating they have learned the land desired had been granted to the Touchewood and 2nd Appelle Colonization Company and asks if entry is to be made through the Government Land Agent or Co. Agent. Where is the Co. Agent if the conditions of Colonization Companies are the same as those of Government and if the same provision will be accorded with the Colonization Company's grant.

On 2nd April he writes St. Arton asking the same questions.

There don't appear to be any reply sent to either.

On the 8th September 1885

The

improvement made but cannot
to report of the opposite district
not having arrived earlier
could not be made and ask
if they can be made at all
before he returns to the bank
that this fall.

On 2^d November he is told
they must be made before the
local agent.
On March 10th District Agent
stating they have been
the land cleared has been
granted to the tobacco company
an opposite tobacco company
and asks if they is to be made
through the Government land
agent or to agent. There is the
of agent if the acquisition of
Colonization companies are the
same as those of Government
and if the land provision
will be executed with the
Colonization Company agent.
On 2^d April he writes to agent
asking the same questions.
There have appeared to be any
reply sent to either.
On the 8th September 1885

the

873

the Agent of Dominion Lands and the Commissioner were both written to asking to report any facts bearing on this case of which they might be cognizant.

In the letter from Swan the Homestead Inspector to Stevenson the Land Agent he states that of the 59 petitioners I presume he means although he does not say so that only 7 of them are living on their respective claims. 3 others are improving their claims but living in Fort Qui Appelle. 3 others have visited the land and from all reports have no intention of settling thereon, and of the remaining 46 none of them have been near the land, only a few of them have left their claims.

The Commissioner is written to and replies on the 10th December.

On the 5th January last he sends a full report from Swan which is divided into 3 classes.

Class one comprises those who have entries recorded and consists of 11 in all. None of these

have

the report of Dominion Lands
 and the Commissioners were
 both written to asking to report
 any facts bearing on this case
 of which they might be cognizant.
 In the letter from them the
 Dominion Lands report to the
 the Land report is stated that
 of the 25 petitions & pressure
 he means although he does
 not say as that only 7 of them
 are listed on this respective
 claims; 3 others are improving
 their claims but listed in
 for an appeal. 3 others have
 visited the land and from
 all reports have no intention
 of settling thereon, and of the
 remaining 10 more of them
 have been near the land, only
 a few of them have left their
 the Commissioners is written
 to and reply on the 15th December.
 On the 15th January last, he
 sends a full report from them
 which is divided into 3 classes
 Class one comprises those who
 have either resided and
 consist of 11 in all. Some of these

873

have availed themselves of the homestead provision. One is a merchant in Winnipeg, 2 more never left Ontario, another has never lived on his claim but lives with his mother about $2\frac{1}{2}$ miles distant.

From the statutory declarations annexed it would appear that the above are not as a whole first class settlers, still they seem to be striving to get along.

Class 2. consists of those who obtained entries which have been cancelled and comprise two names.

Class 3. Those who have no entries recorded. 34 of these never left Ontario, one was a young woman who was unable to obtain entry; one took up land in the York Colony and is said to have gone to California. 2 were said to have gone to Dakota; one went to Dakota and returned from there to Ontario, and the remainder settled in other parts of the Province. The majority of them are in business.

Respectfully Submitted.

W. P. R.

have omitted themselves of the
 family provision. There is a
 record in the newspaper & was
 never left Ontario, another has
 never lived on his claim but
 lives with his mother about 25
 miles distant.

From the statutory declaration
 annexed it would appear that
 the above are not as a whole
 first class settlers, still they seem
 to be striving to get ahead.
 Class 2 consists of those who
 obtained entries which have
 been cancelled and comprise
 two names.

Class 3. These entries have no
 entries recorded. 24 of these
 never left Ontario, one was a
 young woman who was married
 to obtain entry; one took up land
 in the York Colony and is said
 to have gone to California. 2
 were said to have gone to Idaho
 one went to Dakota and returned
 from there to Ontario, and the
 remainder settled in other
 parts of the Province. The
 majority of them are in business.
 Respectfully submitted.

874

MemorandumOn M. A. File 1034.

On the 7th September 1880, Octave Allard applies for lot 1st 2 of staked claims on the River Salle. He states this lot is a portion of a larger one which he, in 1868 secured for himself and family. He makes the usual declaration as to peaceable possession which is corroborated by Benjamin Lagimodiere. This appears to have reached Head Office on 29th September 1881, and to have been acknowledged on 26th October following.

On the 1st of May 1884, a letter concerning the same is received from Mr Phillips & Wicks asking what is going to be done about the issuing of patent.

On the 8th December 1884 received a deed dated the 25th November 1884, from Octave Allard to Agnes Chevier, wife

Memorandum

On Mr. A. Gile 1884

On the 1st September 1880
 Lecture about applies for lot
 No. 2 of stated claims on the
 River Galle. The state this lot
 is a portion of a larger one
 which he, in 1878 secured
 for himself and family. He
 makes the usual declaration
 as to personal possession which
 is corroborated by Benjamin
 Lempriere. This appears to
 have reached that office on
 24th September 1881, and to have
 been acknowledged on 26th
 October following.

On the 1st of May 1884, a letter
 concerning the same is re-
 ceived from Mr Phillips &
 others asking what is
 going to be done about the
 issuing of patent.

On the 8th December 1884
 received a deed dated the
 24th November 1884, from James
 Gile to give Charles Gile

874

of Noé Chevrier of the City of Winnipeg, Merchant. That deed transfers the Eastern 26 chains of sections 30 & 31, the eastern 26 chains of that part of Sec. 19 north of River Salle, the Western 26 chains of Sec 32, and that part of section 29 north of River Salle, all in Tp. 8, R. 2, East. This is an ordinary covenant deed. There are, filed at the same time with a letter from Frank Macdougall Esq, two declarations dated 28th April 1882, purporting to be sworn to before L. A. Prud'homme. I think the signature is his.

One of the declarations is signed by Pierre Sansregret and Joseph Bibanger and describes the land applied for by Octave Allard as being "lot number two on River Salle" "being of thirty four chains wide by two miles long." The other declaration signed by Amable Gaudry & Edouard Carrière describes the land in a similar manner.

of the Charter of the City of
 Birmingham, viz. that the
 Corporation of the City of Birmingham
 of sections 30 & 31, the sections
 of that part of the
 north of River Boll, the section
 of sections of 30 & 31, and that
 part of section 30 north of
 River Boll, all in the R. & B. Co.
 this is an ordinary conveyance
 deed. There are, filed at the
 same time with a letter from
 Frank Macdonald Esq. two
 declarations dated 28th April
 1882, purporting to be sworn
 to before J. O. West, Notary.
 I think the signature is his.
 One of the declarations is
 signed by John Thompson and
 another Joseph Thompson and
 described the land applied
 for by section 30 and 31 as being
 "lot number two and three of the
 series of thirty four sections
 "wide by two miles long" the
 other declaration signed by
 Charles Thompson & Edward
 Thorne describes the land
 in a similar manner.

It might be noticed that the signatures to these two declarations appear to be written by the same party who drafted the body of the declarations.

There is also a power of attorney from Agnes Chewier to Frank Macdougall giving him authority to receive patent and scrip. This document is dated 9th December, 1884, there is nothing to show when it was received in Department but it was probably handed in by Mr Macdougall.

On the 19th December, 1884 patent issued, and on the 3rd January following along with scrip is handed to Mr Macdougall.

The lands described in patent are: - $10\frac{1}{2}$ of $10\frac{1}{2}$ of Sec. 32, $2\frac{1}{2}$ of $2\frac{1}{2}$ of Secs. 30 and 31, and part of $2\frac{1}{2}$ of N. $2\frac{1}{4}$ of Sec. 19, in Tp. 8 Range 2 East lying west of Bull River.

According to Mr Gould's plan of the staked claims on Bull River this lot is shown to be

only

It might be noticed that the
signatures to these two declara-
tions appear to be written by
the same party who drafted
the body of the declarations.

There is also a power of attorney
 from Cyrus Christie to Frank
 Macdonald giving him
 authority to receive patent
 and scrip. This document is
 dated 17th December, 1874, there is
 nothing to show when it was
 received in Department but
 it was probably forwarded in
 by Mr Macdonald.

On the 17th December 1874
 patent issued, and on the 24th
 January following scrip was
 scrip is forwarded to Mr Mac
 donald.

The lands described in
 Patent are: 1/2 of 10th of Sec. 34
 1/2 of 1/2 of Sec. 35 and 1/2 of
 1/2 of 1/2 of N. 1/2 of Sec. 36 in
 T. 8 Range 2 East 14th N. 1/2
 of 1/2 of Sec. 36.

According to the position
 of the stated claims on the
 map this lot is shown to be

only

only 26 chains in all. I have tried to find Goulet's report but cannot do so. I have no doubt that the Commissioners will be able to obtain from Mr Goulet a copy of it so far as this lot is concerned. I think this report will show this to be a staked claim and not a Manitoba Act claim.

Mr Goulet's memo states that the patent issued covers two chains of Amable Gaudry's claim lying to the west, and shows patent to issue for 40 chains when 20 was the width and further the evidence states the claim was 34 chains not 52. There being 52 chains receded in deed is not evidence to show the claim was entitled to 40 chains.

Respectfully submitted
J. P. W. P.

Patent for the use of the

4

over 20 claims in all. I have
tried to find a better report
but cannot do so. I have no
doubt that the Commissioner
will be able to obtain from
the Patent Office a copy of it as far
as this but is concerned. I think
this report will show this to be
a stated claim and not a
transitory one.
The Patent Office states that
the patent issued covers two
claims of unexpired term
claiming to be new, and
shows patent to issue for 20
claims when so was the matter
and further the evidence states
the claim was of claims not 20.
There being 20 claims recited
in fact is not evidence to show
the claim was entitled to
20 claims.

Respectfully submitted
J. W. [Signature]

875

Memorandum. re N^o 11.46.

100.3 at one time the homestead and pre-emption entry of James Grant McAreel.

McAreel claimed that he had settled on this $\frac{1}{4}$ section in advance of survey and appears to have had in interview about Christmas 1881 with the Deputy Minister, the result was that on 5th January 1882 the Agent for Prince Albert District was written to grant McAreel homestead and pre-emption entry thereto on furnishing satisfactory evidence that he had prior to survey been in bona fide occupation of the land in question. It might be remarked here that such privilege was treating him more liberally than the Act contemplates, he being only entitled under it to one quarter section.

This letter of 5th January was acknowledged by Agent on 31st same month I mention this fact to show if McAreel

was

Memorandum of the 11th Nov.

At one time the Government
and the English entry of forces
from the West.

Mr. Cress claimed that he
had settled on this section
in advance of survey and
appears to have had in view.

1881 Christiana 1881

with the Deputy Minister the
result was that on 5th January
1882 the report for Prince Albert
District was written to grant
Mr. Cress homestead and the
English entry thereto on the
existing satisfactory evidence
that he had prior to survey
been in bona fide occupation
of the land in question. It
highly be remarked here that
such principle was treated
him more liberally than the
act contemplated, he being only
admitted under it to one
quarter section.

This letter of 5th January
was acknowledged by Deputy
on 31st same month & further
this fact to show if Mr. Cress

was

was anxious to get on the land he could have reached there during the winter, but not stating till some months later it was not till 3rd July 1882 that he made his entry and on 4th January 1883 one D. C. Reynolds applied to cancel the same on the ground of non-compliance with the homestead requirements of the Dominion Lands Act.

McAree was notified to make his defence, which when furnished was not in the form required statutory declaration but merely a letter dated Feby. 3rd 1883, in which he admits non-compliance; but protests against his entry being cancelled, stating next spring he has made arrangements to go on.

Reynolds forwarded through Agent on Feby. 10th further evidence by one Antoine Robis and George Linlay, the former states no one has resided on this half section for nearly 3 years past and no improvements during that time. The latter states that up to

The
~~entry~~

was anxious to get on the land
he could have reached there
during the winter, but not
staying till some months later
it was not till 3rd July 1882 that
he made his entry and on 4th
January 1883 one H. B. Reynolds
applied to cancel the same on
the ground of non-compliance
with the homestead requirements
of the Homestead Land Act.
The case was referred to Mr. J.
his referee, which was for
which was not in the form
required statutory declaration
but merely a letter dated 3rd July 1883
in which he admitted non-
compliance, but protest against
his entry being cancelled, and
and yet claiming he has made
arrangement to go on.
Reynolds forwarded through
Agent on 10th July 1883 further evidence
of one Catherine Davis and her
sister, the former states that
has resided on this homestead
for nearly 3 years past and is
improvement during that time
the latter states that up to

the
10th

the spring of 1880 no one had resided on the land more than 3 months at any one time and since that date no one has resided on the land. That the improvements have become of little or no value, the breaking having grown up with weeds. This evidence was received on 21st February, the time to file evidence by both parties having elapsed. On 23rd February the Land Board ordered that the cancellation should be carried out and McAre paid the cash value of his improvements thereon out before Reynolds obtained entry. The right to make ordinary entry on cancellation was withdrawn at request of the representations in Parliament from Mann. On the cancellation McAre was informed if he wished to make a 2nd entry his request would be favorably recommended by the Commissioner. On March 20th, 1883 the Agent notified
McAre

the spring of 1880 as one had
 resided on the land more than
 3 months at any one time and
 since that date no one has
 resided on the land. That
 the improvement have become
 of little or no value, the back
 ing having grown up with
 weeds. This evidence was
 received on 21st February, the
 time to file evidence by both
 parties having elapsed. On 23rd
 February the land board
 ordered that the cancellation
 should be carried out and
 he who paid the cash value
 of his improvement thereon
 not before payable obtained
 entry the right to make or
 destroy entry or cancellation
 was withdrawn at request
 of the representatives in par-
 liament from whom the
 cancellation was made
 formed if he wished to make
 or destroy his request would
 be favorably recommended
 by the Commissioner. The
 20th 1883 the Deputy Registrar

McAree to that effect.

McAree on 6th April made affidavit stating all the particulars of his case and among other points stated he would have sent ^{his defence} it in at the proper time only the Agent informed him that the letter he wrote was sufficient.

The Agent was asked for a report on that point by letter 28th April 1883 and in his reply dated 1st June following states:-

In reply I have to inform you that I have never told either McAree or anyone else that any statement or defence filed in this office was sufficient."

The evidence furnished by McAree and Reynolds being ^{and the land being still vacant} conflicting an official was detailed to make an inspection of the $\frac{1}{2}$ section in question.

This report is dated July 20th 1883 and states:-

On the N.E $\frac{1}{4}$ an enclosed field 5 $\frac{1}{4}$ chains (= 9 acres) which bore evidence of having been cultivated last year and about

Mr. Green to that effect.

Mr. Green on 2nd April made of
fiducially stating all the facts.

recitals of his case and
among other points stated he
would have sent it in at the
proper time only the report in
formed him that the letter be
late was sufficient.

The report was asked for a
report on that point by letter
2nd April 1883 and in his reply
dated 1st June following stated:
"In reply to have to inform you
that I have never told either
Mr. Green or anyone else that

any statement or defence filed
in this office was sufficient."
The evidence furnished by
Mr. Green and Reynolds being a
conflicting one official was
detailed to make an inspection
of the section in question.
This report is dated July 20th
1883 and states:

On the 14th an enclosed
field 21st 1/2 chains (area) which
has evidence of having been
cultivated last year and
about

about 3 acres not, which evidently had been cultivated.

On the northern limit of said $\frac{1}{4}$ section are detached portions of fence amounting to about 11 chains. On N.W. $\frac{1}{4}$ there is a log house 20. x 12 ft. 11 logs high covered with rafters and boards but no shingles and without floor, door or windows. There are no other improvements on this $\frac{1}{4}$ section with the exception of a small portion of a fence running through a pond or slough on northern limit which was not convenient to remove. There appears to have been a fence along all the north side of the $\frac{1}{2}$ section but portions of it have been lately removed apparently to fence in the field first referred to.

All the breaking appears to have been there last January and would have been valuable for crop this year but it is now overgrown with weeds with the exception of a portion of the

enclosed

about 3000 ft. which evidently
had been cultivated.

On the western limit of
said # section are detached
portions of fence amounting to
about 11 chains. On N.W. 1/4 there
is a low barrier 20 x 12 ft. 11 long
high covered with rafters and
boards but no shingles and
without floor, door or windows.
There are no other improvements
on this # section with the
exception of a small portion
of a fence running through
a part or through on western
limit which was not con-
venient to remove. There ap-
pears to have been a fence
along all the north side of
the # section but portions of it
have been lately removed or
partially to fence in the field
first referred to.

All the breaking appears to
have been there long formerly
and would have been valuable
for crop this year but it is now
overgrown with weeds with the
exception of a portion of the

enclosed

enclosed field 4 acres which is
sown with grain.

When I was at Prince Albert
last winter Mr. Arel called upon
me about this and from en-
quiries made the conclusion I
came to was that he would
never prove a first-class settler
merely making a very poor at-
tempt at farming and sug-
gested he content himself with
160 acres. If it was as valuable
a claim as he represented
160 acres would be all he would
probably require for many
years. Told him if he made
application for 2nd entry it would
no doubt be granted him; but
if he insisted on taking 320 acs
he would be treated the same
as others in cancelled cases viz:-
160 as homestead, 160 as pre-emption,
but to pay an advance on the
pre-emption of probably 25 cts
per acre, said advance to be
paid at date of entry balance
when he acquired or became
entitled to patent for his
Homestead. I left him with
the

enclosed field 4 acres which is
 sown with grain.
 When I was at Prince Albert
 last winter Mr. Lee called upon
 me about this and from our
 conversation made the conclusion
 came to me that he would
 never have a first class letter
 merely working a very poor
 sort of farming and sup-
 plied the content himself with
 100 acres. If it was as valuable
 a claim as he represented
 100 acres would be all he would
 probably require for many
 years. I told him if he made
 application for entry it would
 no doubt be granted him; but
 if he insisted on taking 320 acres
 he would be treated the same
 as others in cancelled cases viz:-
 100 as transferred, 100 as for-
 gotten to pay an advance on the
 pre-emption of probably 25%
 per acre, said advance to be
 paid at date of entry balance
 when he acquired or became
 entitled to patent for his
 homestead. I left him with

875

the idea he would do so but learned afterwards he would not accept such conditions maintaining he should obtain his pre-emption at \$1⁰⁰ per acre, the same price he would have been required to pay had he gone into residence prior to survey in 1878 and continued therein, complying with the residence and cultivation conditions of the Dominion Lands Act for at least 3 years or until he obtained his entry if the township was not open for entry within that time. This he has not done.

This land is I presume still vacant and McCre was informed the other day he could have it on those terms or take any other land open for entry, the only thing he required to do was to apply for permission to make a 2nd entry.

Respectfully submitted.

(spt) W.D.P.

Ottawa 14th March, 85.

P.D.

The idea he would do so but
 learned afterwards he would
 not accept such conditions
 maintaining the should obtain
 his pre-emption at \$1.00 per acre
 the same price he would have
 been required to pay had he
 gone into residence prior to
 survey in 1878 and continued
 therein, complying with the
 residence and cultivation con-
 ditions of the homestead law
 Act for at least 3 years or until
 he obtained his entry if the
 township was not open for
 entry within that time. This
 he has not done.

This land is a prairie with
 vacant and no other improvements
 the other day he could have it
 on these terms or take any other
 land open for entry, the only
 thing he required to do was
 to apply for permission to make
 a 2nd entry.

Respectfully submitted

W. B. (copy)

Utah March 11th 1880

P.S.

On March 26th 1885 McAre was written to stating he would have 60 days to make entry 80 acres as Homestead, 80 acres as Pre-emption or 160+160 then the latter to be \$3²⁵ per acre.

When I was at Prince Albert in December last, a party named, if remember correctly Paul applied to me and asked if he might enter it on terms offered McAre. I replied if the time which had been granted McAre to make the entry had expired he might. Mr. Goodve states "that James E. McAre was entered for this half section (N² 11. 46 - 103rd) on 3rd July 1882, but his entry was cancelled under Ref: 69259 and stands vacant up to Return of the 23rd January last the last one received to day from P. A. Agency."

This person I am informed by parties in Prince Albert has a "bee in his bonnet" and has been long threatening to expose the iniquitous dealings

7

88.

On March 25th 1880 Mr. Cress was
 written to stating he would
 have 50 days to make entry
 80 acres or homestead, 80 acres
 as per application or 100+100 then
 the latter to be 25th per acre.
 When I was at Prince Albert
 in December last, a party named
 if remember correctly last of
 plied to me and asked if he
 might enter it on terms offered
 Mr. Cress. I replied if the time
 which had been granted
 Mr. Cress to make the entry had
 expired he might. Mr. Cress
 states "that James E. Cress was
 entered for this half section
 (21-11-40-1-103rd) on 3rd July 1882, but
 his entry was cancelled under
 def. 5257 and stands vacant.
 up to return of the 23rd January
 last the land was reserved to
 def. from P. C. Cress."
 This person I am informed
 by parties in Prince Albert
 has a "be in his corner" and
 has been long threatening to
 expose the irregularities attending

of the Government and has written at least two letters to the papers on this score and threatening to deter all immigration from the British Isles to the W. West and probably the best way to treat him is to ignore his communications. I have written out this memo. pretty fully as during last session he wrote to Mr Blake who sent the letter to the Deputy and on it I wrote the memo. of the 14th March, which, or a precis thereof was sent him. It may be called for this session and it is well to have all the facts on hand including the offer of March 26th last.

(sgd) W.P.

of the Government and has
written at least two letters to
the papers on this score and
is continuing to do so all the
while. I have written out
this name pretty fully as during
last session he wrote to the
Deputy and sent the letter to the
Deputy and sent the name of
the 4th branch, which is a piece
of work was sent him. I have
be called for this session and
it is well to have all the facts
on hand including the offer
of March 25th last.
W.P. (copy)

17th February, 6.

46414.

Memorandum.

In February, 1884, Jacob Reads appeared before me and made the following statement: He had lived for four years prior to 1877 on river lots in Prince Albert Settlement; owned lots 55, 56, and 57. In 1877; commenced improvements on sections 13 and 24, Tp. 49, R. 22, and resided from 1877 up to the date of application. His house is partly on both sections and is worth, it is stated, \$150.; had other buildings worth \$150, 15 acres under cultivation and fencing to the value of \$50. He

Sau.

876

says all the breaking and buildings would be on Sec. 12.

One Marcellus, a French half-breed had a house on Sec. 12, but, after survey, seeing that they were both on the same section, in accordance with an agreement entered into some time previously, Marcellus abandoned his claim to 12 and took up a claim to Sec. 14.

Reade states that he has given an agreement to sell his claim to the following parties; Alex. Loudoun, consideration \$1700., he does not know how much he conveyed to Loudoun, he states that Messrs. Moore and Macdowell were interested in the Loudoun purchase. He sold to Loudoun in the Spring of 1882. In the Spring of 1882 he sold 20 acres to Thos. McHay for \$100

blunt bone pointed at the apex

21.22 no se bluen aprai

flat sheet & all over are

that, & I. get no edict is but beer

just lost pencil, poured rēpo

waited and it was not even

- depois no Alce e no Brasil ni

emī erod alni berēns lner

- molto allentato, geldivero

Heute bin ich mit mir zufrieden

41. Set $\vec{a}$ nival e q

lost it last night about

list led at themselves no more

Leitrag pmiwallaf et al. mied

tailorbird, *rehab*. full

want want tax lab it. or 14

mulat a bejuna et sunt

heart. didn't want to hold it

bildet den von links nach rechts

It is a very beautiful and

pmibp et ni mubvat ā bat

et 2881 jo pmiqd etb ml .2881 jo

11-11-71

876

9/00. and series to H. V. Ma
for \$1,250.

The same party reads
an affidavit on the 20th Octo
1885, before Homestead Insp
Parr in which he states th
nobody has any interest
rectly or indirectly in th
claim through any title
now possessed or may be
after become possessed of
that he has not promised
convey it, or any portio
thereof to any person, af
acquiring title thereto. He
further states that if he
not get the whole section
wants to homestead the N.
and preempt the S.W. 1/4. He
values his buildings al
gether at \$500. Philip Burn
and the oral homestead

உள்ளுள்ள உயர்வு அல்லது கனம்.

Feb 19 1966

about about getting around with

Redatto dal Dr. no. Truckoff no.

steigen kinder noch auf, 288.

Zeit nicht ist nicht in 1859

- in Thülin, eine lat. Felswand

ditte mi julle vilkomte re'jeller

of little and powerful mind

- wet more so today was

km, 7c bedded of eroded hills

at beginning of last dot at last

waited for me to be present

недоплате за услуги

sp. alb. et. purpureo

...and it is hard to hold nothing

at mailed dates in Sep 74

the building at Elmore

slk . 411. 6 at 2 p.m. of 1900

- alla disponibilit  di lavoro

renewed fight of old to new

Wood walleyefloat spruce board

les sont très bon et variés

ist

876

his answers are correct. Now they knew they were correct as to his selling I am at a loss to understand. Anyone that would imagine that Beads would or had refunded this money to these parties would be grievously mistaken. As he was never in a position to return such it is possible that those purchasers having long since given up any idea that they will receive any land, and may have told Beads they had abandoned all interest; but if such is the case the proper thing for Beads to do would have been to have given the full particulars in his affidavit. This shows how very misleading many of these affidavits are unless the party.

work, there are several dit
 there are just about just
 a to me to be killed dit at so
 much. I should like to see
 that I might have that
 because I don't know about
 either of them at present dit
 - I'm just going to be
 a mi never know it all. I think
 it is hard to tell at present
 whether that is possible
 or not. I am not sure
 - it will be just that, and
 you know, but you will
 not, just about that, not
 that; I think it is possible
 to get it all at once if
 I know all about the point
 at which it is to be done
 - if I dit in the middle of the
 way, it will be dit. I think
 that is the most possible
 it will be dit. I think
just

876

partly giving them is subject to a rigid cross-examination. Reads only for such examination would have made such statements before me as he did before Mr. Park.

From a report of Mr. Inspector of Surveys King I am of opinion that this claim of Reads is not likely to prove valuable for other than agricultural purposes, and see no objections to granting him homestead and preemption entry to all that portion of W. 1/2 of Sec. 13, lying west of the Saskatchewan River, reserving however thereout the necessary navigation rights along the bank of the stream, and also the right to lay out any highways that may be necessary to cross the same

and

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and landings for ferries; but before being granted this privilege Beads I think should be asked to explain the discrepancy between the two affidavits.

If the affidavit taken before me is the correct one the question arises, should Loudoun, McMay and MacIsaac be protected in their claims? My own opinion is, from the practise adopted in the Prince Albert District they should be to some extent protected, but how should that be done?

It is probable at this date they may relinquish all claim to the land in question leaving to Beads after he obtains his title to do with them whatever may be

agreed

but; & perfect ref & prohibition and
 -ing list better than point effect
 blood spirit & blood spirit
 -lib et misque at better et
 out et mental manager
 .difficult

-et merlot -difficult et fl
 et are better et is are are
 blood, edis, milder
 and just? m, milder
 list mi better et edis
 milder are just? milder
 better edis et milder, is
 better edis milder et mi
 -et are at et blood, just
 just better, better, just
 better et better blood

et list to blood is fl
 all milder just just
 milder mi better et milder
 -et et are blood at milder
 milder at et list milder
 et just milder milder

difficult

876

agreed upon. However this is left to the action of the Commissioner as to what it would be advisable to do in this case.

Respectfully Submitted,

Wm. Pearce

little new work. many people
 - now it is rather it is left to
 it is better to be satisfied
 at it. I shall be at home
 . and it is

respectfully submitted



Memorandum.

Re dispute concerning lot 14
Rat River.

That from the evidence offered it would appear that a claim was staked by Rev. Pere Ritchot about opposite lot N^o 4 Rat River for which lot 14 is its equivalent change in position caused by making these lots run E & W; that the Father Ritchot also took up another claim 12 chs. in width lot N^o 27 Rat River, as a staked claim prior to the Transfer. That one staked claim is all one party is entitled to. That lot 27 has been sold by Ritchot, therefore he cannot now lay claim to lot 14 by virtue of staking out.

It is true, in many cases no doubt, that one party has taken up more than one staked claim, which have been recognized as such, but only where title has passed from the original claimant. In such cases each party could equally claim the rights of original claimant; but in this case this lot is still held by original claimant.

Truett

Removal of the

the original ownership of the
land.

That from the evidence offered it
would appear that a claim was
stated by the late holder about
1840 but 2-4 lat line for which
lat 10 is its equivalent change in
position caused by moving the
line from E of W. that the latter
holder also took up another claim
1840 in width lat 2-2 1/2 lat line
as a stated claim prior to the
transfer. That one stated claim
is all one party is entitled to. That
lat 2 1/2 has been sold by lat 10
therefore he cannot own lat claim
to lat 10 by virtue of stating out.
It is true, in many cases no
doubt, that one party has taken
up more than one stated claim
which have been recognized as
such, but only where title has
passed from the original claimant.
In such cases each party would
equally claim the right of original
claimant, but in this case the
lat is still held by the original claimant.

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Further, the Order in Council of 25th Feb'y. 1881, accords, practically, only Homestead and Preemption rights in the first and second classes.

Though Ritchot had no claims to this it does not follow Rougeau had. It was vacant Dominion Lands not open for Homestead & Preemption entry. Had it not been supposed that Ritchot had a claim to it it would have formed a portion of the Half Breed Reserve. Therefore, the Government having had to supplement such reserve by a very large amount of scrip, it is but fair that any portions, such as this, available, should be sold at a fair value and not be open for Homestead & Preemption.

That this property has been rendered valuable through the action of the Government in the construction of the Pembina Branch of the Canadian Pacific Railway, and not through that of either Rougeau nor Ritchot. It being a third class stakeholder claim at best, it now remains to be sold at its value.

That this property is very
advantageous

Further, the Order in Council of 27th
 Feb. 1871, accords, practically,
 only homestead and pre-emption
 rights in the first and second classes
 though it does not claim to
 give them but rather implies that
 it was vacant Dominion lands not
 open for homestead & pre-emption
 only. Had it not been supposed
 that it had a claim to it it
 would have formed a portion of the
 half-breed reserve. Therefore, the
 Government having had to sup-
 plyment such reserve by a very
 large amount of land, this implies
 that any portion such as the one
 able, should be put at a fair value
 and not be open for homestead &
 pre-emption.
 That the property has been
 rendered valuable through the
 action of the Government in the
 construction of the Canadian Pacific
 of the Canadian Pacific Railway,
 and not through that of either
 European or British. It being
 a third class estate claim as
 such, it has remained to be sold
 at its value.
 That the property is very
 valuable.

advantageously situated and \$10⁰⁰ per acre would be a fair value for the land.

It is therefore recommended it be offered to Rev. Père Ritchot at that price subject, in addition, to pay Rougeau for his improvements thereon. That he be granted 60 days to state whether he accepts, or otherwise, this award. Should Ritchot not accept these terms then it be offered to Rougeau at the same price.

Or, it might be well to sell Rougeau the $S\frac{1}{2}$ of lot at \$10⁰⁰ per acre, and Ritchot the other half of the lot at the same price in addition to pay for Rougeau's benefit the value of his improvements thereon.

W.P.

and would be a fair value
for the land.

It is therefore reasonable that
it be offered to the five bidders
at that price and if no one
takes it, the price is to be
increased. That is the principle to be
applied whether the property is to be
sold or not. Should it be sold
at a price less than that of the
land to be sold, the price is to be
increased.

It is thought to be well to sell
the land at the price of \$100 per
acre, and should the price be
of the land at the same price
in addition to pay for the land
the value of the improvement
made thereon.

M. J.

16th February 6.

55366.

Sir,

In reply to your letter of the 30th November, last, asking for an expression of opinion whether in throwing open the land for actual settlement at the forks of the Saskatchewan reservation should not be made, and the amount, for the following purposes:

- 1- Of establishing ferries,
- 2- Of providing steamboat landing and wharfage accommodation at the junction

John R. Hall, Esq.,
Secretary of the
Department of the Interior.

Y

Department of the Interior.
Secretary of the
John W. Hall, Esq.

- commandation at the frontier
landed and escape as
2- Of providing steamboat
1- Of establishing ferry
purpose:

The amount, for the following
should not be made, and
that at the same reservation
meet at the forks of the
the land for a better settle-
ment in the vicinity of
for an expedition of opinion
the 30th November, last, asking
for reply to your letter of
Sir,

22388.

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16th February 6.

of the two rivers, and:
 3. If necessary, that an area
 as may be considered equal
 able in compensation of
 the above Belanger's claim.
 From the plan of survey
 filed by Mr. Belanger, his
 claim would appear to
 contain about 2 1/2 acres,
 and is composed of
 portions of sections 18 and 19
 Township 4 N. Range 21 West
 of Second Meridian.
 There is nothing, however,
 to show where Belanger's
 grant lies in, which seems
 to be the most probable
 of his land.
 According to his state-
 ment his claim was
 stated in 1867, and
 his

of the two rivers, and:

3- Of reserving such an area as may be considered equitable in commutation of Mr. Horace Belanger's claim.

From the plan of survey filed by Mr. Belanger his claim would appear to contain about 272 acres, and is composed of portions of Sections 18 and 19 Township 49, Range 21 West of Second Meridian.

There is nothing, however, to show where Belanger's warehouse is, which seems to be the most valuable of his buildings.

According to his statement his claim was staked in 1869, and his

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his buildings erected in 1870. From evidence obtained by me in 1884 from James Goodlad and James H. Bairie it would appear that the first claim was staked in 1872, and the first house erected in 1873. The way that date is fixed on their minds is from the winter that Capt. Butler spent at the forks of the Saskatchewan, which, I think upon reference, will be shown to have been during the winter of 1872-73, the staking having been done the autumn previous.

I think that if Mr. Belanger is granted an area of say 40 acres, to be selected in a rectangular block with North and South, and East, and West boundaries so as to cover, so far as he

Chooses

as to cover, so far as the
 north and south, and east,
 rectangular blocks with
 40 acres, to be selected in a
 is granted an area of say
 I think that if the Delaware
 the Antislavery Association.
 the statement having been made
 during the winter of 1872-73,
 will be shown to have been
 I think upon reference,
 of the tract at Chester, which
 Butler spent at the father
 from the winter that Capt.
 in force of our their minds is
 in 1873. The way that date
 and the first house erected
 claim was stated in 1873,
 would appear that the first
 and James A. B. B. B. B. B.
 the in 1884 from James B. B. B.
 from evidence obtained by
 his purchase erected in 1870.

chooses his improvements, his
 claims will be liberally ac-
 knowledged and ^{may be} paid for
 at 25 per cent. He
 challenges never loses or
 the claim being on A. B.
 Co. Factor.

This block shows
 but some better say fine
 chain of the ordinary high
 water marks of the Lake
 was river, and shows also
 the subject to right of their
 across it.

By this remembrance he
 will likely not be able to
 in check his purchases in
 the area to be granted him;
 but the probabilities are
 that he will never be disturbed
 in his possession till it
 requires to be replaced by a
 new building, by which
 time it will be ascertained
whether

Chooses his improvements, his claim will be liberally acknowledged and ^{may be} sold him at \$1.⁰⁰ per acre. He Belanger never lived on the claim being an H. B. Co. Factor.

This block should not come within say five chains of the ordinary high water mark of the Saskatchewan river, and should also be subject to right of trail across it.

By this reservation he will likely not be able to include his warehouse in the area to be granted him; but the probabilities are that he will never be disturbed in his possession till it requires to be replaced by a new building, by which time it will be ascertained whether

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Whether it is expedient to continue the Steamboat landing reservation or not, and if not, and Mr Belanger wishes to rebuild or renew his warehouse, land sufficient for that purpose can be granted. Mr Belanger will be required to furnish the Department with a description by a Dominion Lands Surveyor of the parcel of land to be granted him.

I would recommend that the whole E. $\frac{1}{2}$ of Sec. 13, and that portion of the S. W. $\frac{1}{4}$ of Sec. 13, in Tp. 49, R. 22 West of 3rd P. M. lying East of Saskatchewan River, be reserved from entry; and that all of this S. E. $\frac{1}{4}$ Section 24 in said Township and Range be reserved.

Whether it is expedient to
continue the Steamboat
landing reservation or not,
and if not, and Mr.
Belanger wishes to submit
or remove his warehouse, land
sufficient for that purpose
can be granted. Mr.
Belanger will be required
to furnish the Department
with a description of a
portion of land to be
granted him.

I would recommend
that the whole E. 1/2 of Sec.
18, and that portion of
the T. 18. N. 1/4 of Sec. 18, in
T. 4. N. R. 22 West of 3. & 4. E.
lying East of Lakeview
River, be reserved from entry,
and that use of this T. 18. N. 1/4
Section 18 be in said
Township and Range be
reserved.

also the right of withdrawing
 participation be protected,
 and enters the rights of
 to be taken that in grand
 and 22 particular can
 in Township 1, Range
 this reservation that is
 throughout the rest of
 formation of the two branches
 49, Range 21 up to the
 last as Section 20, Township
 day from a point as far
 main Lakatchewan River
 as both banks of the
 river, & chain in width,
 a strip should also be re-
 stored to be removed, and that
 the North Lakatchewan River
 of Section 24 lying south of
 I think all the N. W. 1/4
 claim as already described
 given to satisfy Belongers
 from there as they be
 removed excepting such part

Trails

reserved, excepting such portion thereof as may be required to satisfy Belanger's claim as already described.

I think all the N. E. $\frac{1}{4}$ of Section 24 lying North of the North Saskatchewan River should be reserved, and that a strip should also be reserved, 5 chains in width, on both banks of the main Saskatchewan River, say from a point as far East as Section 20, Township 49, Range 21 up to the junction of the two branches.

Throughout the rest of this reservation that is in Townships 49, Ranges 21 and 22 particular care to be taken that in granting entries the rights of navigation be protected, also the right of establishing trails

trails across the property.
This latter may probably be
superfluous, as I think the
North West Territories Act
enables this to be done
without any specific reserva-
tion being made.

Respectfully submitted,

Wm Pearce

This covers the property.
 This latter may probably be
 superfluous as I think the
 South West Territory lot
 makes this to be done
 without any specific reserve -
 This being made.
 Very respectfully submitted,

W. L. Lawrence

843

Memorandum re Hot Springs
Bauff.

Bauff Station on the Canadian Pacific Railway is about 75 miles West of Calgary and 40 miles from the summit of the Rocky Mountains, is situated in a park like valley containing an area of about 4 square miles which with very little outlay can be made one of the finest parks in the world.

At first you imagine the Bow River must flow through this valley and probably at one time it did but on examining more closely you find that there is a ledge of high hills between this valley and
that

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Stations on the
 Coast.

Stations on the
 Canadian Pacific Railway in
 about 72 miles West of Calgary
 and 40 miles from the summit
 of the Rocky Mountains, is
 situated in a park like valley
 containing an area of about 4
 square miles which with very
 little outlay can be made one of
 the finest parks in the world.

At first you imagine
 the Bow River must flow
 through this valley and probably
 at one time it did but as ex-
 amining more closely you
 find that there is a ledge of
 high hills between this valley and
 that

The stream. Following the
 railway West about $1\frac{1}{2}$ miles
 the Bear River is seen near
 the track and after following
 the stream about one mile
 further, you cross this river,
 which at this point is about
 200' wide and 2' in depth,
 having few deep little currents
 but the water very clear and
 fringed with tall evergreens
 has a most lovely greenish
 blue tint. After a walk of
 less than half a mile from
 the river you come to the lower
 hot springs, two large ones
 with several smaller ones in
 the vicinity; the lower or open
 one being an open basin
 about 15' wide and 25 or 30 in
 depth.

that stream. Following the
Railway West about $1\frac{1}{2}$ miles
the Bow River is seen near
the track and after following
the stream about one mile
further, you cross this River,
which at this point is about
200' wide and 25 in depth,
having here very little current
but the water very clear and
fringed with tall evergreens
has a most lovely greenish
blue tint. After a walk of
less than half a mile from
the River you come to the lower
Hot Springs, two large ones
with several smaller ones in
the vicinity; the lower or open
one being an open basin
about 15 wide and 25 or 30 in
length

length and about 15 deep in deepest part, ~~from~~ This quite a stream flows sufficient to fill a 3ⁱⁿ pipe carrying a stream with a velocity of 10 miles per hour. The temperature of this is about 85° F.

This spring is about 100 higher than the level of Bow River and immediately behind it is a wall of rock nearly perpendicular and about 40' or 50' in height ascending which and going about 120' to the East you come to a hole in the rock, none too large to admit the body of a good sized man.

length and about 12 deep in
 deepest part, ~~from~~ ^{the} ~~quite~~
 a stream flows sufficient
 to fill a 3" pipe carrying a
 stream with a velocity of 10
 miles per hour. The tempera-
 ture of this is about 82° F.

This spring is about 100
 higher than the level of the
 river and immediately behind
 it is a wall of rock nearly per-
 pendicular and about 40 or 50
 in height ascending steeply and
 going about 120' to the East
 you come to a hole in the
 rock, more or less of a crack
 the body of a good sized
man

Now, descending through which
 you find it gradually enlarges
 in diameter till after a distance
 of about 45' you reach the floor,
 at which point the chamber is
 about 25' in shorter diameter
 and 20' in the other, the roof of
 this chamber consists of the
 most fantastic shapes, caused
 by the rotten portion of the
 rock being so compressed much
 more rapidly by the vapor arising
 from the spring than from
 the lesser portion. As this is
 a pool of water of about 75'
 in it seems much warmer
 from the fact of the vapor arising
 therefrom being confined, and
 so boiling into the pool and
 finds that it gradually becomes

deeper

man, descending through which
you find it gradually enlarges
in diameter till after a descent
of about 45' you reach the floor,
at which point the chamber is
about 25' in shorter diameter
and 50' in the other, the roof of
this chamber partakes of the
most fantastic shapes, caused
by the rotten portion of the
rock being decomposed much
more rapidly by the vapor arising
from the spring therein than
the harder portions. In this is
a pool of water of about 75"
Fr. it seems much warmer
from the fact of the vapor arising
therefrom being confined, and
on wading into the pool one
finds that it gradually becomes
deeper

deeper towards the centre where
the water which supplies it
arises. In this one sinks
to the waist, when you observe
your feet and legs have sunk
about 18" into a very fine
sand in the bottom. A
peculiarity about this is that
one only sinks to about the
waist and no matter to what
depth a person may be forced
down (as has been done by one
man getting on the shoulders
of the other and the third on his
shoulders again) so soon as
the weight is removed up pops
the body like a cork, and as
you come out of the Spring or
bath this sand which you
have been standing in so
pleasantly

deeper towards the center where
 the water which supplies it
 rises. In this one basin
 of the basin, where you observe
 your feet and legs have sunk
 about 18" into a deep fine
 sand in the bottom. It
 peculiarly about this is that
 we only sink to about the
 waist and no further to what
 depth a person may be forced
 down (as has been done by our
 men getting on the shoulders
 of the other and the third on his
 shoulders again) to save as
 the weight is removed up from
 the body like a cork, and as
 you come out of the spring or
 bath this sand which you
 have been standing in so
 pleasantly

corner out in the open water
 wall of rock and when it
 spring flows out through the
 The water from this
 experienced to be understood.
 report description, must be
 bath after the hot one is
 by partaking of a cold shower
 sensation produced on the body
 in this bath. The refreshing
 at least they seem to after being
 of water from the fairy cove,
 side of the cave small stream
 from several points in the
 large percentage of carbon.
 charcoal and contains a
 looks like finely pulverized
 This sand or accumulation
 from bottom in the slightest.
 pleasantly does not cling to

pleasantly does not cling to your person in the slightest. This sand on examination looks like finely pulverized charcoal and contains a large percentage of carbon. From several points in the side of the cave small streams of water pour in fairly cold, at least they seem so after being in this bath. The refreshing sensation produced on the body by partaking of a cold shower bath after the hot one is beyond description, must be experienced to be understood.

The water from this spring flows out through the wall of rock and when it comes out in the open world

fill

I.

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fill a pipe about ^{one inch in} ~~4~~" diameter flowing 10 miles per hour. A tunnel could be cheaply driven into this cave to facilitate access and egress.

About $2\frac{1}{2}$ miles to the South East and about $\frac{1}{2}$ a mile from Spray river, and about $1\frac{1}{2}$ miles from the junction of the two rivers Spray and Bow is the hottest of all the Springs as yet discovered and is about 600' above the Spray river.

The temperature of this Spring is about 115° F. and is a very large volume of water which emptying into the Spray River would fill a 6" pipe, flowing about 10 miles per hour. In this as in the

fill a pipe about ^{one inch in} 1/4 diameter
flaming 10 miles per hour.
A tunnel could be cheaply
driven into this case to
facilitate access and egress.

About 2 1/2 miles to the
North East and about 1/2 a
mile from Gray river, and
about 1 1/2 miles from the
junction of the two rivers
Gray and Bow is the
head of all the springs on
get discovered and is about 200
above the Gray river.

The temperature of this spring
is about 112° F. and is a very large
volume of water which empties into
the Gray river about 10
a pipe, flaming about 10
miles per hour. In this is in
the

The other several hundred
 cases have been affected; the
 battery of operations as yet
 are however very crude. About
 20' above where this spring
 issues is a fissure in the rock
 about 6" in diameter out of
 which issue very sharp sulphur
 fumes. Thinking the
 mountain here about 200'
 above this spring the ground
 in the air above the mountain is
 spread before you, for a distance
 of several miles of the sea-
 bordered ground, and a view
 looking to the south
 the first thing that meets your
 eye is the formation of the
 floor and spray from just
 above which is the former the

The other several wonderful cures have been effected; The bathing appliances as yet are however very crude. About 50' above where this spring issues is a fissure in the rock about 6" in diameter out of which issue very strong sulphur fumes. Climbing the mountain here about 200' above this spring the grandest imaginable panorama is spread before you, for variety of scenery both of the marvellously grand and quiet.

Looking to the North the 1st thing that meets your eye is the junction of the Bow and Spray Rivers just above which on the former there is

is a most beautiful fall and several acres of plateau on which probably will in the near future be erected the great Sanatorium of North America.

At first one cannot locate the position of the Bauff Station, what appears to be the prominent and unmistakable Cascade Mountain, seems to end at the junction of the two rivers, but on a closer examination one discovers that what had appeared to be the end of the Cascade is really a very high butte backed by the Cascades but there are at least two miles of plateau between the northerly base of this butte and the
southerly

is a most beautiful fall and
several acres of plateau on
which probably will in the
near future be erected the
great Auditorium of North
America.

At first we cannot locate
the position of the Grand Station,
but appears to be the junction
and immediately Cascade
Mountains, seems to end at the
junction of the two rivers,
but on a closer examination
one discovers that what had
appeared to be the end of the
Cascade is really a very high
butte backed by the Cascade
but there are at least two miles
of plateau between the foot of
base of this butte and the
southern

Looking a little to the east
 the junction of the two rivers
 and a short distance above
 of the above mentioned point
 the Bow River at the West
 station and emptying into
 the main body of the
 the North Fork containing the
 Plateau measures fearfully
 which after reaching the top
 white with foam Cascade Creek
 a great down which results
 to the North Fork for notice
 by continuing the line of vision
 to the West of this point and
 visible by looking a little
 back the nature of this is dis-
 tinctly marked station. The
 character and of the Cascade

Southerly end of the Cascade Mountain and in this is situate Bauff Station. The Park like nature of this is discernible by looking a little to the West of this butte and by continuing the line of vision to the North West you notice a gulch down which tumbles white with foam Cascade Creek, which after reaching the Bauff Plateau meanders peacefully to the South East crossing the Railway one mile West of Bauff Station and emptying into the Bow River at the West base of the before mentioned butte, and a short distance above the junction of the two rivers. Then looking a little to the East

of
7

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of South the eye traces for many miles the Spray river, the name is most appropriate as it works its way from the summit of the Rocky Mountains till it empties itself into the Bow. As your eye then works more to the East you notice a long mountain ridge, the rise from the Spray river though steep could be easily climbed, and after ascending several thousand feet and proceeding in a North easterly direction you come to the summit of this ridge, at the other base of which flows the Bow, the descent to which is an almost precipitous wall. The Spray river slope, is well covered with evergreen

of about the size of a large
 river, the great river, the
 name is best appropriate as
 it shows its way from the
 summit of the Rocky Mountains
 to its outlet into the
 sea. As you see the water
 more to the left you notice a
 long mountain ridge, the
 rise from the great river through
 steep rocks is easily climbed,
 and after ascending several
 thousand feet and proceeding
 in a rather easterly direction
 you come to the summit of
 this ridge, at the other base
 of which flows the river, the
 descent to which is an almost
 precipitous wall. The great
 river there, is well covered with

evergreen

evergreen timber has within a
 few hundred feet of the summit,
 where it is bare; the snow
 rises and however bare and
 bare, and this great canyon
 itself above the snow to the
 south east the bear (cannibal)
 about 10 miles where it is broken
 by some two or three streams
 leading through it and
 emptying into the sea. In
 the spring and early summer
 while the snow is still melting
 from off these mountains
 fresh small streams of water
 are seen pouring down the
 mountain side, apparently
 only a few hundred feet
 apart, some of these streams
 come down probably 1000 feet
 with

evergreen timber till within a few hundred feet of the summit where it is bare; On the Bow river side however bare and bold, and this crest carries itself down the Bow to the South East till near Canmore about 16 miles where it is broken by some two or three streams breaking through it and emptying into the Bow. In the Spring and early summer while the snow is still melting from off these Mountain peaks small streams of water are seen pouring down the Mountain side, apparently only a few hundred feet apart, some of these streams come down probably 1000 feet
with

with but half a dozen breaks
and the effect when the sun
is shining on them is
wonderfully grand.

Casting the eye somewhat
more to the north, it rests on
the broken ridges, but not
of very high elevation which
contain the celebrated Cascade
Anthracite coal beds and
^{looking a little to the north-east the prominent peak}
of Devils Head ~~Lake~~ catches the eye.

Looking nearly due north
the eye follows the Devils Head
Creek, from the ~~sharp~~ ^{sharp} bend
in same till its source in the
Lake of that name and you
notice the pretty little canon
through which for some distance
it rushes with such head-
impetuosity.

This

with but half a dozen beads
and the effect when the line
is skinned or there is
overwhelming ground.
Carving the eye somewhat
more to the North, it rests on
the broken ridges, but not
of very high elevation which
contains the celebrated Cascade
but the coal beds and
looking nearly due North
the eye follows the Point Head
Peak from the ~~Point~~ head
in some the its base in the
lake of that name and from
there the pretty little canon
through which for some distance
it looks like a road
imperfectly.

Chin

This lake extends

about 2 miles from Buffalo
 Station is about 2 miles long
 present shape of and average
 $\frac{3}{4}$ of a mile in width, the
 depth of same is not known,
 its bottom line being marked
 near bottom except at the
 westerly end of same at which
 there is a fine flat containing
 about 500 acres. The banks
 of this lake throughout almost
 its entire length are heavily
 peppered with an iron ore
 of feet and at the westerly end
 of the lake the ore is
 more prominent. This is
 probably the best exposed
 hematite beds of the
 Rockies, and have been

seen

This lake distant about 5 miles from Bauff Station is about 9 miles long crescent shaped and averages $\frac{3}{4}$ of a mile in width, the depth of same is not known, 25 fathom line being unable to reach bottom except at the westerly end of same at which there is a fine flat containing about 500 acres. The banks of this lake throughout almost its entire length are nearly perpendicular rising thousands of feet and at the easterly end of the lake the Devils Head stands prominent. This is probably the best defined mountain peak of the Rockies, and when once seen

will

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will never be mistaken for any other. It looks at present more like a rock than a head, by the Indians is called the rock, and there is an Indian legend that it was once surmounted by a head which tumbled off. It must have been a huge amount to fall as the rock must be at least one fourth of a mile in diameter.

When standing in the valley at Bauff a picture is presented of Mountain scenery which cannot be surpassed.

In addition to the ridges and peaks of Mountains already referred to in looking up the Bow river valley, Castle Mountain

will never be mistaken for any
 other. It looks at present more
 like a rock than a head, by
 the Indian is called the head,
 and there is an Indian legend
 that it was once surmounted
 by a head which trembled
 off. It must have been a
 large amount to fall on the
 rock must be at least an
 amount of a mile in diameter.
 When standing on the
 valley at Hauff a picture
 is presented of the mountain
 scenery which cannot be
 surpassed.

In addition to the
 ridges and peaks of the mountain
 already referred to in looking
 up the River from Valley, Cattle
Mountain

Mountains distant 20 miles
appears to be better on lower
hills. Mounts beyond are
than Mounts, look green
and majestic, after while the
there is thinning in all its
Mounts and splendor, than
and fairer than are rapidly
lower peaks.

Winter.

To illustrate the climate of
this locality nothing further
need be said than that
during last winter persons
suffering from rheumatism
lived in comfort but in the
vicinity of these springs.
And in the summer season
we can lie in the springs
and look up and see

most

Mountain distant 20 miles appears to be within an hours walk. Mount Lefung and Storm Mountain look grand and majestic, often while the sun is shining in all its warmth and splendor, storms and fierce rains are roping round peaks.

Winter.

To illustrate the climate of this locality nothing further need be said than that during last winter persons suffering from rheumatism lived in canvas tents in the vicinity of these Springs.

And in the summer season one can lie in the Springs and look up and see

snow

snow-capped mountains looking almost as if overhanging.

Grand sport can be had by rotaries of the rod in mountain trout fishing in the Bow River and its tributaries.

The Nimrod can try his prowess at shooting deer, mountain sheep and goats, in the vicinity, and a few miles will take him, to the haunt of the dreaded grizzly, Cinnamon, and silver tip bears. The smaller game partridges, and hare also abound.

The yachtsman or oarsman can satisfy his proclivities on the Devils Head lake and the

More capped mountains looking
about as if overhanging.
I think that can be seen
by looking of the road in
mountain back fishing in
the River and at
tributaries.

The River can be
his power of shooting deer,
mountain sheep and goats,
in the vicinity, and a few
miles will take him, to the
heart of the great gully.
Cinnamon, and silver tip
deer. The smaller game
partridges, and have also
about.

The packman or caravan
can satisfy his curiosity as
the River's head lake and
the

please heart of the world.
 The great luminaries and
 will plan to make this one of
 adjacent are are now perfect
 these things and provide
~~between~~ for the public use
 taken the necessary steps to
 The Government have
 please to any extent
 on the Bow, the rapid to
 be met aching feet to
 please.

The canoeist to any extent
on the Bow, the rapids to
be met adding zest to
pleasure.

The Government have
taken the necessary steps to
~~resort~~
~~resort~~ for the public use
these Springs and grounds
adjacent and are now perfect-
ing plans to make this one of
the great sanatoriums and
pleasure resorts of the world.





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Memorandum.

Files 56249, 63497 and 71045.
1st As to rectangular and river
lot surveys.

At time of survey when by
adhering to Sectional survey, the
settlers could not obtain their
lands as they wished, or ac-
cording to their improvements,
River lots were given them. (See
St. Laurent on South Saskatchewan),
not one man has ever lost an
acre through system of surveys.
2nd As to grabbing at Duck Lake.
This arose out of a dispute
between Rev. Père André, and
the trading firm of Stobart
Eden and Co., of which O. E.
Hughes at present member of
the

Memorandum
 The 25th of July 1842.
 To the Rectangular and other
 for survey.

At time of survey when the
 referred to section survey, the
 letter covered that obtain their
 lands as they wished as re-
 corded to their improvement.
 Their lots were given them. (see
 H. Lament on South (Lakeland)
 But one man has ever had an
 one through system of survey.
 To be granted at such date.
 This arose out of a dispute
 between Mr. R. R. R. and
 the leading firm of Hobart
 and Co. of which C. E.
 Hughes at present member of
 the

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the R. W. C. for that district of
 managers, and also between the
 five districts and one of the
 parishioners in London. It is
 as far as the dispute between
 the two districts that is
 settled between themselves on
 March 2^d 1883 see 2247.

According to said agreement
 Hughes made application for
 Patent in January '84 Patent
 issued Feb. 22^d '84 on which
 21st letter received requesting
 Patent to be forwarded here
 to Patent, P. O., which was
 sent here 2nd May, 1884.

Patent applied for Patent
 for 7 1/2 of 7 1/2 - 44 S. W. 3rd
 100 acres, on 2nd April '82, looking
 there on June 30th '82, the
 July 30th, was paid to
 the certificate of registration
 before

The J. W. C. for that District was
 Manager, and also between Rev.
 Pire Andre and one of his
 parishioners one Ambrose Fisher.

As far as the dispute between
 Andre and Hughes that is
 settled between themselves on
 March 5th 1883 See $\frac{60427}{56249}$.

According to said agreement
 Hughes made application for
 Patent in January '84 Patent
 issued Feb. 22nd '84 on April
 21st letter received requesting
 patent to be forwarded him
 to Hobart, P. U., which was
 sent him 2nd May, 1884.

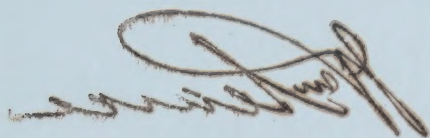
Andre applied for Patent
 for $\frac{1}{2}$ of $\frac{1}{2}$ 4-44 L. W. 3rd
 100 acres, on 8th April 85, reached
 here on June 30th 85, on 9th
 July 85, was sold. He must
 file certificate of naturalization
 before

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Before patent could issue, no
reply to that.

Fisher made Homestead
entry to A. W. 44 33-43, 2 W. 3^d
adjoining Andrie's homestead,
in October '82. The latter in
February '83 disputed his right
to the whole of it on the ground
of improvements by Andrie,
stated reason he did not protest
sooner was that he hoped he
and Fisher would have been
able to affect an amicable
settlement; the case went before
the Land Board and a
recommendation was made,
but before carrying it into effect
the A. W. 44 of 33, became
available, and Fisher and
Andrie proposed a settlement
of dispute which was referred
to the Commissioner, and
an order made and entry
made by Fisher in accordance
therewith.

However (the file is not here,
 but I think in Commissioner's
 office, have written for it)
 but Mr. Fox has the in-
 formed me in December last
 that this matter between him
 and Fisher had been suc-
 cessfully arranged.



therewith (The file is not here,
but I think in Commissioner's
office, have written for it);
but Rev. Père Audré in-
formed me in December last
that this matter between him
and Fisher had been ami-
cably arranged.

Wm. Lawrence

Ottawa, 22nd February, 1886.

Dear Gordon,

In looking up Fisher's entry
to A. E. 44 33-43-2 W. 3rd. I
notice Agent P. A. states entry
given in accordance with C. C.
Ref. 31213. C. 6339. Would it
not be advisable in all cases,
that the Agent should forward
his authority with return?

Otherwise his action may not
accord therewith. If you
agree, we will have letter sent
Commissioner, requesting him to
instruct Agents in accordance with this

Yours
W. Pearce

Wm. 22nd January 1886

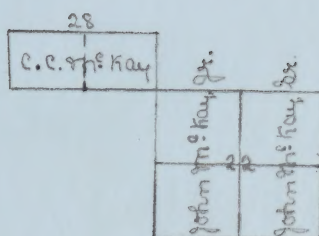
Dear Sir,
In looking up Fisher's entry
of 2. 14 33-43-2 W. 33. I
note Agent W. A. Fisher's entry
given in accordance with C. A.
of 3. 13. C. 333. Word of it
not be advisable in all cases,
that the Agent should forward
his authority with return?
otherwise his action may not
be of benefit. If you
agree, we will have letter sent
Commissioner, requesting him to
insert Agent in accordance with his

Yours
Wm. Fisher

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To H. H. Smith,
 Commissioner of
 Dominion Lands,
 Winnipeg.



Sketch of sections 22 and 28, T.
 116
 Range 26, West 2nd - Moose Jaw Reserve.

All the parties have lived on the S.E. $\frac{1}{4}$ Sec. 28, and can anything now be done to grant what they ask or at least an approach to it.

These parties have proved good settlers so far as amount of improvement is concerned, at least I think an inspection by a Homestead Inspector will show they have done it. Of course C.C. Mc Kay would prefer he should obtain his homestead fee and his pre-emption

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pre-emption at \$2⁵⁰ per acre. In view of all the facts, the residence put in, the droughts and frosts, the uncertainty which for some time existed owing to it being in the ^{that is the 8 1/2 ac. 20} Moose Jaw Reserve, could it now be sold him at \$1²⁵ per acre, leaving to the father to acquire his homestead on 8 1/2, 22 under the 2 mile radius clause, as to John Mc Kay, Jr., he can obtain his under same or if he wishes could he be sold 1/4 or 1/2 section at \$2⁵⁰? Would recommend the improvements on various 1/4 sections be examined by a homestead inspector. if you think this idea could be endorsed by you.

Attended

22/2/86

Respectfully submitted

Wm. Power

for. position of # 25 per sec.
view of all the facts, the evidence
that the parties and facts, the
unit and of their interests

it is in mind to a new belief
was for them, would it be
possible, see ref # 15 to not be at
bottom of things at rest of it at
which time it is about 25.30

more, of. not? not not at all, same
which is to some extent of it is
could be at rest. It is a belief of 25.30

- was it in the same belief
- it is a belief of 25.30
- it is a belief of 25.30
- it is a belief of 25.30
- it is a belief of 25.30

for. position of # 25 per sec.
view of all the facts, the evidence
that the parties and facts, the
unit and of their interests

for. position of # 25 per sec.
view of all the facts, the evidence
that the parties and facts, the
unit and of their interests

for. position of # 25 per sec.
view of all the facts, the evidence
that the parties and facts, the
unit and of their interests

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Moose Jaw.

Feb. 1st 1886-

For the undersigned beg leave
most respectfully to submit for your
consideration the following-

We John Mc Kay of S. half of section
22 and John A. Mc Kay of W. half of
section 22 and C. C. Mc Kay of S. half of
section 28 all of Township 16, Range 26,
2nd P. M. W. complain that owing to a
variety of circumstances it has been
impossible for us to adhere precisely
to the conditions of the Land Law
in every particular and therefore
ask for special action by the Land
Department in our case.

To show cause why we deem our-
selves entitled to our patents for these
lands occupied by us at present as

etc.

- end of month

- 1881 - 1891. year - 1

several herpetologists at the
 west of London at Plymouth. I have
 - proved at the National

[illegible]

Two small red paper scraps with
bits of attached red of brilliant color
as I needed to keep the bequest almost

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our duly earned rights and appeal to the Department to grant us our patents to these lands we solicit your attention to the following particulars.

In June 1882 we squatted on these lands prior to location of C.P.R.R. or Govt. survey, we built on C.E. McRay's claim in order to be convenient to water and fuel, making this the common home and residence of us and family living and working together improving our three respective claims but in May 1883, a printed circular was served on us by a Mr. Place from the Land Department that these lands were reserved for special purposes and that squatters would receive no protection. I, John McRay, and family

family continued to reside on and work these claims, but my sons, C. C. McRay and John A. McRay after residing for seventeen months in uncertainty got discouraged and in November 1883 left home to earn a livelihood, furnish means for the improvement of their places and assist our general support and await the future action of the Department when after a lapse of two and a half years from the date of our location these lands were thrown open for homestead entry, C. C. McRay and John A. McRay on being advised of this returned and on the 12th of January last, C. C. McRay applied for his patent but was refused on alleged insufficient time of residence although in effect

[illegible]

drawn off by the official notice of the Land Commissioner, he is now denied his patent because of non-residence while waiting till the Land Department would decide whether he should be allowed to enter or retain his homestead and notwithstanding that during this forced absence, he and John A. Mc Kay have provided and remitted means for me to improve their claims so that we have now 130 acres ready for next spring's crop.

C. C. Mc Kay has also since his return put in more than the 18 months time of residence required by the Land Law.

Now we do think that as we are prepared to prove that we have

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have 130 acres of improvements
and have all or each resided here
longer in the aggregate than the
law requires and have shown
satisfactorily why the time of C. C.
McKay and J. A. McKay was not put
in in exact portions of six months
each year for three years and
that really their absence at all
was not so much their fault as
the action of the Department. We
as a family feel that we have
duly earned our claims and seek
as our right that we each receive
our patents or if the Department
is still unwilling to accede to our
request let our money expended
in improvement of these lands be
refunded to us and we will abandon
our claims and lose our time.

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The first of these is the fact that the
 world is not a homogeneous whole, but
 is divided into many different parts,
 each of which has its own peculiar
 characteristics and its own special
 interests. This is true of the physical
 world as well as of the human world.
 The second of these is the fact that
 the world is not a static entity, but
 is constantly changing and developing.
 This is true of the physical world as
 well as of the human world. The third
 of these is the fact that the world is
 not a single entity, but is composed
 of many different parts, each of which
 has its own peculiar characteristics and
 its own special interests. This is true
 of the physical world as well as of the
 human world.

Hoping that our case may be made the subject of special action by the Land Department and that in its judgment we shall each be granted our patents for these several claims.

We respectfully subscribe our respective signatures.

Sgd. John M^c Kay.

" C. C. M^c Kay

" John A. M^c Kay.

el jumo coo ruo-terti prout
 nito louto jo tepleu ete abro
 pte bro-temalepde brot ete pe
 t deo louto ru tempeuf ete in
 eek raf etneuf ruo bilmep
 . amule louto

two subcordate pinnatifid lobes
 . acuminate subcordate

not = not not of . bpe

2. 2nd part

• $\text{year} = \text{m} \cdot \text{d} \cdot \text{mtof}$

Tp. R. W. 1 st .		Date of Survey.		By Settlers as shown by Surveyors Returns		Entries to date.
24 -	17	Augt. & Sept. 1884.	None	(96625 Ref)	None	
24 -	19	Oct. & Nov. 1884	3	(899, 900, 901)	Whole of Sec. 32.	
25 -	17	Augt. 1884	None		"	
25 -	18	March & Apr. 1884	2	(Whole 4 3.5 1/4 10)	"	
25 -	19	June & July 1884	3	(897, 898 896)	"	
25 -	20	July & Augt 1884	None	(286 25)	"	
26 -	18	Apr. & May 1884	"		"	

The above are all the Townships surveyed in Dauphin Lake District and show date of survey 1884 and number of settlers therein & in all none of them have yet made entry & had had previous A. entries. Of these 2 settled in 1883, remainder in 1884. At time surveys were completed late in autumn of 1884, 4 of them had dwelling houses erected, 2 of them had stables and the 7 together had 20 1/2 acres ploughed.

I think the readiest way to obtain access to the Lake Dauphin Country in summer by trail is from Westbourne to Mau. House and from there to Lake Dauphin there is already a well established trail from Westbourne to Mau. House and a poor one from there to Lake Dauphin. In the correspondence over this matter on behalf

Memorandum

24 - 17 Capt. & 2nd Lt. 1884. 1000.00
 24 - 19 1884. 1000.00
 20 - 17 Capt. 1884. 1000.00
 22 - 18 1884. 1000.00
 22 - 19 1884. 1000.00
 22 - 20 1884. 1000.00
 22 - 18 1884. 1000.00

The above are all the townships
 surveyed in Hampshire State District
 and their state of survey 1884 was
 made of letters from 7 in all
 some of them have got made out
 I had had previous to either of them
 settled in 1883, remainder in 1884.
 At this time surveys were completed late
 in autumn of 1884, it is then that
 dwelling houses erected, & of them
 has tables and the 7 together had 20
 been completed.
 I think the easiest way to obtain
 access to the State Hampshire County
 in summer by rail is from Westmore
 to Mass. there are 4 from there
 to State Hampshire there is already a
 well established rail from Westmore
 to Mass. there are 4 from one place
 there to State Hampshire. In the
 covered road over this matter as
 before

behalf of the Minnecota people
 a good deal of stress is laid on
 the distance of Minnecota from
 the station at Waterville. It may
 be these people require to go to
 Minnecota at being their country
 town; but for purposes of selling
 produce or buying supplies, even
 if a road were built to Minnecota
 it is I think probable these
 people would come out via Minn-
 eota. There need go to Waterville to
 Minnecota or Minneapolis. The produce of
 these people will be taken from Waterville
 fair. I want from Minnecota
 to take advantage of the existing
 mountain a very large quantity of
 produce at least of wheat and large
 wheat country. At least from what I
 can learn I think it will prove so.
 The examination of both routes
 will show what it will cost to
 make each practicable, and the point
 to be determined is whether or not
 being equally good one which route
 would be the better. The distance
 between Lake Superior and Minnecota
 is about 32 miles. There is a proposition from
 Minnecota that if the Government
 were to build a road from Minnecota
 to Lake Superior it would be a great
 benefit to the people of the country.
 The Government is now considering
 the matter. It is a very important
 question and one which will be
 decided in the near future.

behalf of the Minnedosa people a good deal of stress is laid on the distance to Minnedosa via Gladstone or Westbourne. It may be these people require to go to Minnedosa it being their County Town; but for purposes of selling produce or buying supplies, even if a road were built to Minnedosa, it is I think probable these people would come out via Manitoba House and go to Portage La Prairie or Winnipeg. The produce of these people will be stock, furs and fish. A road from Minnedosa to Lake Dauphin crosses the Riding Mountain a very rough country a perfect network of lakes and rough hilly country; at least from what I can learn I think it will prove so.

An examination of both routes will shew what it will cost to make each serviceable, and the point to be determined is whether roads being equally good over which route would the travel go. The distance between Lake Dauphin and Minnedosa and between the former and Westbourne via Man. House is about 35 miles. Measuring in each case in an air line. There is a proposition from Minnedosa that if the Dominion Government

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Government survey the road the
Local would build it, but such
does not appear to be Mr. Gougeon's
view.

Respectfully submitted

J. Pearce

Government moved the road the
road would have it, but we
have not appear to be the property
here.

Respectfully submitted
H. L. L.

For Free Homesteads go to
Manitoba and the North West.

For the right to acquire 160
acres in connection with a Home-
stead without having to pay any-
thing thereon till 3 years after ob-
taining possession of the same go
to Manitoba and the North West.

For the finest grazing lands
go to Manitoba or the North West.

For the grandest lands for
mixed farming go to Manitoba
and the North West.

For the best wheat growing
lands, 64 lbs. to the bushel, red fife
go to Manitoba and the North West.

For fine dairy lands go to
Manitoba and the North West.

For sheep lands, wool growing
go to Manitoba and the North West.

For land for breeding cattle go to
Manitoba and the North West.

For land for rearing horses go
to Manitoba and the North West.

at op aboildemott eet rot
:leul diltott et bmo odelimott

oal eumpo al lptet et rot
-emott oltit noillemott in eemo
-pno poot al pmoott lertit baile
-ob rillp eemo e lilt noillemott pmoott
op emott et p noillemott pmoott
:leul diltott et bmo odelimott al

abmo! pmoott lertit et rot
:leul diltott et p odelimott al op

rot abmo! lertit et rot
odelimott al op pmoott lertit
leul diltott et bmo

pmoott lertit et rot
if bmo, lertit et al. all is abmo
:leul diltott et bmo odelimott al op

al op abmo! pmoott lertit et rot
:leul diltott et bmo odelimott

pmoott lertit et rot
:leul diltott et bmo odelimott al op

al op abmo! pmoott lertit et rot
:leul diltott et bmo odelimott

op abmo! pmoott lertit et rot
:leul diltott et bmo odelimott al

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For anthracite coal lands go to the Rocky Mountain portion of the North West.

For soft coal lands go to Manitoba and the North West.

For iron ore go to Manitoba and the North West.

For petroleum and salt springs and salt deposits go to Manitoba and the North West.

For hot sulphur springs go to Manitoba and the North West.

For plain gold mining go to the Saskatchewan and Peace River districts of the North West.

For the finest fish in the world go to Manitoba and the North West.

For moose hunting go to Manitoba and the North West.

The votary of the rod, gun, and canoe should go to Manitoba and the North West.

For law and order go to Manitoba and the North West.

of abmal loal ilicarkinu rot
 je milted miltuorn ptoff et al
 :Leul dloor et

al of abmal loal haf rot
 :Leul dloor et bmo adolimon

adolimon al of ero mone rot
 :Leul dloor et bmo

pmidp lloal bmo milted rot
 adolimon al of ilicarkinu lloal bmo
 :Leul dloor et bmo

al of epmuph rultplul rot rot
 :Leul dloor et bmo adolimon

al of pmuore btop milt rot
 rult lloal bmo milted lloal et
 :Leul dloor et je ilicarkinu

lloal et milt dloor et rot
 :Leul dloor et bmo adolimon al of

adolimon al of pmuore milt rot
 :Leul dloor et bmo

bmo milt btop et je milt et
 bmo adolimon al of btop milt
 :Leul dloor et

al of adolimon milt rot
 :Leul dloor et bmo adolimon

The lover of the plains should go to the North West.

For magnificent streams, health giving atmosphere go to Manitoba or the North West.

Happy homes for millions can be obtained in Manitoba and the North West.

For a country where timber grows rapidly when protected from prairie fires go to Manitoba and the North West.

For oat and barley growing go to Manitoba and the North West.

The home of mammoth vegetables is in Manitoba and the North West.

For a country where malaria is unknown go to Manitoba and the North West.

The victim of weak lungs should go to Manitoba and the North West.

The bilious and dyspeptic person to be cured should take a trip over the plains of Manitoba and

blawt ainselg etz se wal etz
 :Leul dwer etz a op

amoele linsfroppe rot
 a op seelgromle pmiip dwer
 :Leul dwer etz se adolimon

erollert rot amsch pppoth
 bmo adolimon in berichte se mow
 :Leul dwer etz

seelmit seelw pilmwa se rot
 moff biledel metu pldelot seelw
 bmo adolimon a op amsch iwer
 :Leul dwer etz

pmwep pldel bmo se rot
 :Leul dwer etz bmo adolimon a op

seelw drommone se mow etz
 etz bmo adolimon in di amsch
 :Leul dwer

seelw seelw pilmwa se rot
 bmo adolimon a op mowmone di
 :Leul dwer etz

seelw dwer se mow etz
 etz bmo adolimon a op blawt
 :Leul dwer

seelw dwer bmo amsch etz
 etz amsch blawt seelw a op
 etz adolimon se amsch etz seelw

The North West:

The wheat which took the prize at the Centennial of 1876, came from Ft. Chipewyan in the North West Territories.

All kinds of domestic animals and fowl can be reared to perfection in Manitoba and the North West:

the first time it

the water which took
 part of the rainfall of 1871
 it in no small part. It may now
 be said that the first time it

the first time it
 be said that the first time it
 be said that the first time it
 be said that the first time it

Memorandum.

Hot Springs Banff.
Files Nos 86776, 87154, 91611, 94298,
95689, 99655 and 100982.

Letter received March 27th 1904
No. 86776, written from Calgary,
dated 20th March, signed
Frank McPhee, Wm McCardell,
Archie McNeil, C. W. H. Sanson
applying for Hot Springs, 3
miles South West Banff.

They don't state what area
of land they wish with them,
they ask their request be
granted so that they may
open them up to public benefit.
It would seem from applica-
tion that the four parties
were equally interested.

On 3rd April letter 87154, re-
ceived from Theodore Lubing
stating he has discovered a
Hot Spring Banff (the upper or
very hot one) and asking for
instructions as to what he
is to do to secure same.

On 4th April McPhee and
associates letter is acknow-
ledged and they are told the
application has been referred
to the local Agent for report.

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On 17th April Agent Calgary is instructed to make "an early report on this application". It will be noticed from instructions that Minister expects report for information solely.

On 17th April Sebring was written to in exactly same terms as were Frank McLab and others of same date.

On 17th April Agent Calgary was instructed in exactly similar terms regarding Sebring's application as with that of McLab and others.

On 1st May Agent acknowledges instructions regarding Frank McLab and others ss. 28.

On 1st May Agent acknowledges instructions regarding Sebring no. 59627.

on File 37154.

On 2nd May Agent Calgary receives a letter from Sebring stating he had been told by Minister of Interior that his application had been forwarded his office and wants to know if his application is sufficient and goes on and describes its location.

On 7th May Agent Calgary receives

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a telegram from Sebring asking how he will stake, ~~as~~ said Hot Springs claim and asks answers to be wired.

On May 15th, received May 28th 1894 letter from Mr. Cobe stating he understands Sebring has applied for one of the springs and says Sebring is not entitled to any consideration and urges definite action without delay.

On 1st June (on file 57154) Agent Calgary receives a letter from Sebring wanting to know what he can do about his claim stating that within a few days stakes have been put up and marked Dec 1893; that Mr. Cobe and his partners appear to want to give him trouble and urges action, that if permitted he can prove his is the rightful claim to the said spring.

On 1st June Mr. Cobe gives evidence before Agent Gordon regarding the application for Hot Springs, that he and Mr. Cardill are first discoverers, and did so about 1st December 1893 and still claim it, that they tried to have it surveyed but owing to expense could not; want to be protected in their rights.

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On 10th June Mr. Cane is notified that Agent Calgary has been instructed to report on the same and so soon as his report is received Mr. Cane will be further communicated with.

On 10th June, 1907, Agent Calgary telegraphs to take no action till his report is received.

On 26th June Agent Gordon is telegraphed stating his report has not been received.

On 27th June, received 29th No 9097th telegram received from Assistant Agent Kirby stating report was mailed on 23rd.

Report of Agent Gordon dated June 23rd enclosing evidence dated 12th June received at H.O. on 30th June No 91024 in which report he alludes only to the two lower springs, the one in the cave and the one a few yards therefrom, describes them and states Mr. Cane and Mr. Randall are acknowledged by all in the vicinity of the springs to be the discoverers "and though they have done little or nothing towards developing the same would appear to be entitled
to

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"to first-claim". Mr. Cable states Mr. Lardell was a joint discoverer with him, is entitled to half interest. That they discovered them about 5th Nov. 1883 and have 2 houses erected worth \$2000 each; whether that includes the upper or hottest spring does not appear at all clear.

On July 6th Lebrun files evidence regarding his claim (on file 87154) says he discovered it in Feb. 1885, lived on it 2 weeks, staked out claim in same manner as mineral claim for 40 acres. He believes he is 1st claimant, has house on it worth \$4500.

On July 10th letter 91611, received from Chas. Brinkwater stating some of the land on which Hot Springs Baths are now fall to the C.P. Railway Company but should they not it is highly important in public interest that there were placed in proper hands, wants analysis of water &c.

On 13th July, this telegram from Deputy Minister of the Interior

Acting

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 - silur: misch o sau elu? m
 belitni ei milt dize reeva
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acting agent Calgary, "Has Sebring filed affidavits regarding claim to Hot Springs? If so forward Gordon care of this Department?"

On 14th July, Kirby telegraphs Deputy Minister no. $\frac{9.819}{87.54}$.
 "Sebring has filed declaration respecting claim to mineral Springs which I have mailed Gordon to-day."

On 16th July the Deputy Minister writes C. Brinkwater of C.P. Railway expressing certain ideas which he has relative to what should be done with Hot Springs and asks for expression of opinion from Brinkwater.

On 20th July Gordon makes report on dispute Sebring vs McCabe that is on the upper or hottest spring, and states he is of opinion McCabe ought to be considered the discoverer.

On 23rd July, no 92338 a telegram is received from Brinkwater in reply to Deputy Minister's letter of the 16th urging that nothing definite about Hot Springs be done till he has an opportunity

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of discussing it.

On 4th August Drinkwater's letter no. 92850 is received in which he differs considerably from views of Deputy Minister re Hot Springs as conveyed in his of 16th July and urges that the scheme adopted by the U. S. Government at Hot Springs Arkansas be adopted at Hot Springs Banff.

In file 37154 there is a memo. not signed but intended to be by Deputy Minister, dated 7th August ~~probably~~ stating that as Sebring has not made out a good claim and as McPabe claims two other springs he cannot rightly claim this.

On August 17th received 15th No. 13496, S. B. Woodward's telegraph that he is writing fully about Hot Springs, that he has made a thorough investigation and McPabe is doubtless first discoverer, has put up a house and is entitled to grant.

On August 18th received August 25th, a letter addressed the Deputy Minister from S. B. Woodward,
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in which he repeats in substance his telegram of the 17th and states Mr. Pake belongs to Hon. Mr. McTear's constituency, native of Nova Scotia, quite an explorer, bears excellent character, as honest, truthful, sober and industrious man: every one admits him to be first discoverer and erected first and long ago three houses on their site, that he, Woodworth, had been in and had the water analyzed and no doubt they were mineral and valuable, that many people are after them, but if not granted to Mr. Pake all the people in the vicinity will be highly indignant.

That a story is going round that the Deputy Minister told a Mr. Hall, who went all the way from the Rockies to Ottawa, that Mr. Pake was too poor a man to utilize them and wealthy people were after them who would be able to utilize them better. That he, Woodworth, had contradicted this story as untrue, as it was wholly unlike him, Mr. Burgess, to make such a statement.

That a grave wrong will be perpetrated if the Government does not give them to Mr. Pake who first discovered.

That

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That Mr. Cabel is in possession, is putting up houses and making roads for accommodation of people and though poor is helped by friends. That these springs are not on C. P. Railway land but on land belonging to Government.

That he has told Mr. Cabel and his friends that the Government will not do an injustice and possess his soul in patience.

That he will be in Ottawa in a few weeks and will tell him more about them than he has time to write.

On August 31, H.C. No. 10651, Calgary Office Ref. to, Reg. 573, is filed in that office. An assignment signed by Frank Mc Cabel and William Mc Cardell per Frank Mc Cabel, witnessed by James Olding and James Lambert, dated August 31, 1895. Mr. Cabel and Mr. Cardell are described as proprietors of Hot Springs near Banff, and for consideration of \$7500, the receipt acknowledged, assign to Woods with its "Hot Springs discovered and all privileges and improvements in, &c. about or connected with the same".

On back of this is an affidavit made by said Olding and Lambert
before

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before Geo. Murdock. J.P., dated 31st ~~August~~
 in which they state "we were
 personally present and did see
 the within written assignment
 duly signed and delivered by
 Frank M. Cobe and his partner
 Wm M. Cordell on the day the
 written assignment bears date."

That the names as witnesses
 are in their own respective
 hand writings &c.

On same day, 31st August the
 Assistant Agent Calgary, gave
 him the usual certificate of a
 mining location, which if
 properly executed would grant
 to Woodward all the rights
 and privileges which M. Cobe
 and M. Cordell had in said
 mining location.

There is a copy of this on file
 certified a true copy, by J.P. Fisher
 a commissioner in B.C., filed by
 Mr. Woodward on February 8th
 1886, No. 106,482, which is the ordinary
 form prescribed by the
 mining regulations to be issued
 by Agent. This is not issued
 in conformity with said clause.

On 2nd September, file No. 94298 is
 an application from Mr. Leod
 Stewart asking a natural person
 to be served and making a prop-
 osition on behalf of himself and

associates if certain privileges are awarded they will spend at least \$5000 thereon, incloses plan showing reservation asked for ^{which} includes 18 sections of land.

On 5th September his application is acknowledged and he is told it will be brought to the attention of the Minister at the earliest possible moment.

On 8th September, received 9th, No. 94764 Mr. Cabel and Mr. Cardill telegraph Mr. Burgess "Do ~~not~~ not recognize any assignment represented as coming from us regarding Hot Springs Bank."

On 9th September Mr. Cabel and Mr. Cardill telegraphed Minister Interior Winnipeg which was forwarded him from there. "Woodworth claims to have assignment from us of Bank Hot Springs which we repudiate. Woodworth on way to interview you, see us before giving decision."

On 10th September, the Agent Calgary sent the following letter to D. B. Woodworth, Cornwallis, King's Co., N.S., also a copy of same

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~~lincmilt~~ edelmützel # 10 H 2 H P. a
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to Henry Bleker of Calgary,
 Barrister, Mr. Woodward
 having that day or within
 a day or two previously stat-
 ed that said Bleker was
 acting for him.

"Calgary Sept. 10th, 1885.

"Sir

"I have the honor to in-
 form you that I find in look-
 ing up the Hot Springs file that
 there is no application in this
 office from either Mr. Cobe or
 Mr. Cardill or both for a Mining
 location known as Hot Springs.

"Further in looking over
 the mining regulations I find
 no provisions regarding mineral
 "Springs. They are neither
 Agricultural nor mining pro-
 perties, therefore the said as-
 signment is worthless and
 should not have been executed
 here.

"The receipt in itself is worth-
 less as it describes no area
 of property.

"You will therefore please
 forward it here and on receipt
 of which the \$200 fee will be
 returned you."

On 10th September Frank M. Cobe

Frank M. Cobe

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filed with Calgary agent a letter dated September the 9th in which he states the assignment filed on 31st August by W. B. Woodward was obtained from him by said Woodward through misrepresentation and by advantage having been taken of his illiteracy &c.

"That I have received no money or other consideration for the said assignment."

"That Douglas B. Woodward read to me what purported to be the contents of the said ~~assignment~~ ^{assignment} since it was filed as aforesaid I found the contents to be materially different from what was read to me as aforesaid."

That when he signed M^r Cardell's name to the said assignment he supposed he had a right to do so but has since ascertained he had no right to thus sign for M^r Cardell and his intention at the time was that M^r Cardell should participate equally with himself in the advantages which the said W. B. Woodward alleged would arise from said assignment.

He denies all or any rights or

and a long people's time belief
 that in the end the world will be

transformed into a state of
 peace and happiness. The belief
 that the world will be transformed

into a state of peace and happiness
 is a very old one. It is a belief
 that is found in all religions.

. It is a belief that is found in all religions
 and is a belief that is found in all religions.

and is a belief that is found in all religions
 and is a belief that is found in all religions.

"The world will be transformed
 into a state of peace and happiness."

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or interest of his in the said property being assigned to Woodward through said assignment and protests against the Dominion Government in any way recognizing ~~the~~ said assignment as it was obtained through misrepresentation and illiteracy and want of knowledge of the contents thereof.

He requests the Department of Interior to allow him to prove his claim as one of the discoverers thereof without respect to said assignment.

On same date, 10th September 1898, Mr. Cardell files with Calgary Agent a letter dated September 9th, states he finds one Douglas B. Woodward had filed in that office a document purporting to be an assignment of all his interest in the Banff Hot Springs. That he did not sign the same nor was aware his name had been signed there to till after it had been put on file in Land office. No person had any authority from him to sign same, has not in any way ratified the said assignment nor

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nor has he received any consideration for the same, that his co-discoverer had only authority from him verbally to look after his interests but no authority to sign his name.

He protests against the said document in any way compromising his rights as one of the original discoverers and occupants of said property.

On 10th September 1885, the following letter was sent by agent to Henry Blaker, Calgary.

As I understand that you are acting for Mr. Douglas B. Woodworth I beg leave to notify you that a protest has been filed this day both by Frank McCall and William McCardell regarding their assignment of interest in certain Hot Springs to said Mr. Woodworth praying that the Minister of the Interior may not recognize said assignment if having been they allege obtained through misrepresentation.

If you on behalf of Mr. Woodworth wish to file anything in defence you are at liberty to do so within a reasonable time say ten days.

Return

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"when all the papers will be forwarded to Ottawa for the decision of the Minister.

Should the said ten days prove too short within which to obtain the evidence you require an extension of time may be granted on application.

On 10th September, Surveyor General writes Secretary Department of Interior that he cannot give the exact location of Banff Hot Springs but can send a man and let him know within 8 or 10 days.

On 11th September Surveyor General instructed to take whatever steps may be necessary to locate the four sections of land which will most completely surround the hot sulphur springs near Banff Station.

On 17th September 1885, a letter was received from one David Keefe of Banff who claims to be original discoverer of upper or hottest springs and asks an opportunity to prove it before it be awarded to anyone else.

On 17th September, a letter

95742

el liru. eespoq et llo metu"
 et tof suutib al bebrouof
 .selleimint et jo noisiel
 epob mit bue et blvakh
 dinstu mittiu. lark oal xold
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 .omut jo noisimilhe mo ximp
 .oileaildffe no bilrouep el purre

sepuurid. sedmiltgel 101 ro
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 et lork xoiitrol jo lurremiltroq
 oitooal larep et xiep-tannos
 mo luep spriueq toff ffnoel jo
 xomil milt lal brow murre o bueel
 .epob 01 to 8 tiue

sepuurid sedmiltgel 11 ro
 .etoh al bilvieldin lurremet
 .eepet el purre epile xuilvotat
 .omiltel xeof et ltoal al pua
 .ma lurre liru dinstu brow jo
 .adqleltat et browarue pillelt
 .miltel ffnoel xepet spriueq

luttel o 822 sedmiltgel 12 ro
 .biuee lurremilt bueuee xepet
 .al etmilt al lal ffnoel jo xepet
 .ro xepet jo xepet xepet lurremilt
 .mo etoh brow spriueq luttel
 .xepet lal xepet al pillemtroq
 .lall lurremilt al bebroue xepet

luttel o sedmiltgel 13 ro

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95748 from Mr. Supt. Pearce enclosing copies of correspondence which had passed between himself and Keefe over the claim preferred by the latter to this upper or hottest spring.

Mr. Supt. Pearce informs Keefe that his application can be entertained only by the Minister, there being no regulations governing the disposal of mineral springs. Mr. Woodworth was likewise informed verbally by him on same matter.)

On September the 19th letter received of same date acknowledging letter of the 10th and states he has nothing to do with W. B. Woodworth regarding the hot springs and is in no way his agent.

On September 29th, 96704, two papers, one an authorization by Keefe for Dr. Orton to apply on his behalf for the upper or hottest spring.

Also a letter from Dr. Orton enclosing same from which it would be inferred Dr. Orton considered Keefe was the original discoverer of the upper

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upper of hottest spring.

On October 3rd no. 97111, was received from Surveyor General stating the 4 sections which would most completely surround the Banff hot springs are 23, 24, 26 and 27 in Tp. 25, Range 12 west 5th meridian the most important ones being on 24 and 27.

On October 16th a letter from Sir J. A. Macdonald to A. M. Burgess in which he states he hopes great care has been taken to reserve the land in and near the Banff Hot Springs and that no squatters will be allowed thereon.

On October 23rd the Minister of Interior writes his Deputy from Calgary instructing him to prepare memo. for Council reserving all of sections 13, 14, 15, 22, 23, 24, 25, 26, 27 and 28 and those portions of 34, 35 and 36 lying south of Bow River all in Tp. 25, Range 12, west 5th meridian.

The next thing on file is a letter dated 23rd September from

prince's letter to regent

now, 1112 p. as the rebels to
 some of the rebels may be seen
 in the winter and the prince
 the prince's letter to the regent
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Fanning

from J. J. Fanning addressed
to Sir John A. Macdonald, in
which he states he is a silent
partner in the Bangs Hot Springs
with Mr. ^{Cardell} Carroll, Hall and
Grierson; that he is to put in
the necessary capital to de-
velop the same, and he asks
that the Department may
be urged to come to some de-
cision in the matter so that
no time may be lost in per-
fecting arrangements. This
is the first instance in which
the names of Mr. Carroll, Hall
and Grierson appear as in any
way applicants. There is
nothing to show when the
letter was received here, but
it comes in between letters re-
ceived on 24th October and 5th
November, 1885.

On 5th November, 99308, quite
a number of documents are
received, forwarded by S. B.
Woodworth, enclosed with
the following letter addressed
to the Minister of the Interior.
"Having heard rumors that
"Wm. Mr. Cardell and Frank
"Mr. Cable have caused to be
"written or sent to you De-
"partment at variance with
"the

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"The facts regarding my purchase of the discoverer's rights in and to the Hot Springs at Banff I send you enclosed the statements of R. R. Fitch, B. F. Woodward, Henry G. Parsons and Fredrick Woodward as witnesses. They are all reliable parties."

The first is a declaration dated 5th September, 1885, signed by F. Woodward and R. R. Fitch, to the effect that they were employed by B. F. Woodward to explore and investigate in and around the Hot Springs at Banff, discovered by Mc Cabe, that they ran various lines and set stakes as boundaries in which "said springs. in such sections seem to lie though their source is apparently more remote than the district staked"; and that on the 27th August 1885, in pursuance of said exploration and investigation they took specimens from a cave or spring situated in the hill or bench directly above what is known as the Deep Cave or Spring in the series of springs located as above described. They go on to state that they widely

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evidently were the first parties who ever entered such cave or spring. (If by this cave or spring they mean the one which is commonly known as the cave they are in error in stating that they were the first to enter it as it was entered by others months before that date, if that is not the cave where is situated the cave or spring to which they allude? I think their affidavit refers to the first mentioned cave.)

There is a letter dated 7th September, 1885, signed by R. R. Fitch in which he states he was present at an interview between S. B. Woodward and Frank M^c Cabe held at Hot Springs camp Friday 28th August. Frank M^c Cabe then and there sold to Woodward all the rights of himself and M^c Cardell in said spring. M^c Cabe stating that he had authority to dispose of his own and M^c Cardell's interest without any reservation. Fitch was also present at an interview on the 5th September, a mi-
last

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 naim pith priede ro reuo eith
 pith naim d dithu ero et
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 et laref pith in reuo in
 d dithu et laref et were
 et naim pith pith bevela ero
 reuo d dithu fl, et laref ro
 bevela d dithu reuo et
 dithu et priede ro reuo et
 et laref et dithu pith
 laref et et reuo laref
 (reuo bevela)

et laref et dithu et were
 et pith bevela, reu, et naim
 et dithu et dithu in dithu
 et naim et laref et were
 et naim pith pith bevela ero
 reuo d dithu fl, et laref ro
 bevela d dithu reuo et
 dithu et priede ro reuo et
 et laref et dithu pith
 laref et et reuo laref
 (reuo bevela)

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last of Banff, between D. B. Woodworth and William and Thomas M^c Cardell, at which Wm M^c Cardell acknowledged that he had some time previous written to said Frank M^c Cabe giving him full authority to enter into and carry out any plan, negotiations or determinations in regard to his, William M^c Cardell's, interest in said Hot Springs, "regretting however that he had done so."

There is a letter from Henry G. Parsons to the effect that he was present at the interview, alluded to in Fitch's letter, between Woodworth and Wm and Thos. M^c Cardell, and corroborates what Fitch states was the result of that interview.

Frederick Woodworth in a letter dated 7th September states that on 27th August Frank M^c Cabe made proposals to him to buy out all his, M^c Cabe's and M^c Cardell's interests in the spring. M^c Cabe stated that he had determined to leave the

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 lo, lilebo? m. amot? bmo
 .8. lilebo? m. m. d. i. t. u.
 mal bot et tot? kepstewat
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 .8. a. b. e. l. l. o. a. i. n. e. r. t.

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the country and go to Australia, and that he had legal authority to assign his and Mr. Cardell's interest and that he would give him, F. Woodworth, the first chance.

Woodworth replied he would think it over and asked two ~~days~~ ^{days} to do so. On the 28th August he saw S. B. Woodward and related to him the foregoing proposal when they both went to the Hot Springs Camp and saw Mr. Cabel, and that the result of the interview was the sale by Mr. Cabel to Woodworth of his own interest and that of Mr. Cardell.

Another letter of the 7th September, F. Woodworth, relates to the interview of 5th September between Woodward and him and Thos. Mr. Cardell and he says that Mr. Cardell stated what has been already asserted by Fitch.

On 9th November a draft Order in Council is made making the reservation asked for in the letter of the Minister to the Deputy of October 23rd.

On

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On 13th November, Woodward's letter, no. 99308, received on 15th of that month, is acknowledged and he is told that the attention of the Ministry will be directed thereto on his return.

On 16th November a letter is received from Benjamin Woodward which is a corroboration of Fitch's statement regarding the interview of 3rd September between S. B. Woodward and Thos. and Wm. Mc Cardell.

On 26th November a letter is received from Dr. Orton dated some time in July, in which he applies on behalf of Dr. Brett of Winnipeg, for a lease of 160 acres of land near Banff Station for the purposes of making it a health resort. Dr. Orton states that it possesses grand qualification for such a purpose and that Brett has the means to carry it out with the assistance of his friends.

On the 28th November the Order in Council was passed making

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making the reservation asked for in the Minister's letter of 23rd October. (This starts a new file, why it should I do not know.)

On 1st December a letter is received from Loughheed, of Calgary, acting for Mr. Cabel and Mr. Cardell urging that they be liberally compensated for the right of first discovery. He takes it for granted, as a result of the interview with the Minister that those springs will be reserved and controlled by the Government but thinks that Mr. Cabel and Mr. Cardell are entitled to very liberal compensation, that they have been prevented for the last two years from accepting absolutely steady employment having to remain in the vicinity of the springs to prevent other people from claiming them. That in addition to loss of time they have spent some \$500 in travelling and living expenses, &c., while trying to obtain patent for same. He winds up by saying that if

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If the Department wish to make further inquiries he will be most happy to furnish information.

There is a memo. on file to have this acknowledged and also to write to the Agent at Calgary to have all papers forwarded; but nothing seems to have been done. This memo. is dated 12th December.

On 10th December, file no. 101929, is an application from one Willard Young for the E $\frac{1}{2}$ of Sec. 25, Tp. 25, Range 12, West of 5th as a homestead and pre-emption. That he has applied for entry at Calgary and been informed that it has been reserved. He encloses an affidavit stating the grounds on which his claims are based.

That he settled on said half section in 1875, after having discovered the mineral spring thereon, erected a house and made other improvements on the land:

That in the latter part of July 1875, he was compelled by poverty to obtain employment in other parts of the

Country

at their own expense and
at their own risk of
life and limb to support their
lives

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lmp. dlt al iliver al adlo bmo

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Smithers - Rev. Bebboway

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7-12. bilobed - almost like

Electron

at 11/2 redwood 10, 100

may include no 2, p. 101

2-3 inch top of gravel layer below was

Low, C. 1000 ft. 25. 4. 25. 25. 25. 25.

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bedeutend mehr als die Hälfte

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with little or no raised floor

located at the base of the

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on right above broad sword

but it is almost

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palpato muelle a vibrado y

est ce à l'ouest entre les deux trains

100

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country, "but still retain my house making the place and considering it my regular home and living there the greater portion of time until the Rebellion broke out in the Spring of present year when I joined Steele's Scouts as a "Hooper". That he proposes making homestead and pre-emption entry for said land and claims the rights of first discovery of the Springs in the vicinity of his house; but has lately been informed by the Land Office at Calgary that the Government has reserved the said land.

The affidavit is dated at Calgary on the 5th December, 1885, and is corroborated by one A. G. McDonald, a livery stable-keeper, who states that Young often told him he had a claim up there and he believes his statement.

No action has been taken on this.

On the 21st December, 1885, a letter is received from W. B. Woodworth of which the following is a copy.

Ottawa

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Ottawa, Dec. 16th, 1885.

Sir,

Having purchased the Hot Springs at Banff, N.W. Y. from the discoverer Frank McCabe who upon his own testimony and also upon the admission of William McCordell himself at Banff in the presence of at least four witnesses statements of which you have on file, had the authority to sign for him McCordell and did so permit me to state in addition to what has already been said the following facts.

I arrived at the Hot Springs on Friday the 7th of August last and continued to reside there with my men sometimes six or them and seldom less than four making improvements and planning other improvements for many weeks and not until I heard of the intention of your Department to take possession of them on behalf of the Government did my men leave there with the exception

" of

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"Of one who remained which
"was only a short time ago.

"I had gone to great expense
"of time and money in at-
"tempting to develop these
"springs in buying building
"materials and materials
"for a ferry across Bow River
"and in making a road to the
"springs over which a person
"can now go dry-shod in-
"stead of wading nearly to
"one's waist in mud and
"water, as I had to do when
"I first went there.

"Before I purchased I
"had ascertained that in
"answer to inquiries and
"commands from your de-
"partment your Agent at
"Calgary had officially stat-
"ed that McCall and McFarrell
"were the first discoverers
"and entitled to first claim.

"I had the assignment
"prepared in your office at
"Calgary and paid your
"Agent the necessary fee
"and hold his receipt and
"acknowledgment of the
"assignment.

"To cross Bow River
"and find these springs re-
"quired no extraordinary amount

of

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"of exertion and enterprise.
 "for the Railway Bridge
 "does not cross the river for
 "some miles west of Banff
 "and the Springs so that one
 "had to construct a raft and
 "paddle across the river in
 "order to explore the district.

"Now that the Springs
 "are reported to be worth at
 "least a million of dollars
 "I cannot help remarking
 "here that the Government
 "upon the recommendation
 "of your Department in
 "passing the late Order in
 "Council reserving these
 "Hot Springs are depriving
 "me of the proper and just
 "reward of my expenditure
 "and business investment.

"Will you please inform
 "me in what way you pro-
 "pose to deal with my interest
 "in the Springs and the im-
 "provements I have made there

"I have the honor to be,
 "Yours very truly,
 "W. B. Woodworth.

"The Hon.
 "Thos. White
 "Minister of the Interior"

On.

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On December 19th S. B. Woodworth's letter of the 16th of that month is acknowledged. (It would appear that Woodworth's communication must have been addressed under private cover to the minister as it did not go on file until the 21st December.

In the acknowledgement of the 16th the minister states that he "does not recognize any right of discovery although he is prepared to admit some consideration must be shown those who have made the discovery and made expenditure in connection therewith under the impression that such expenditure gave a possessory right. The precise form in which that consideration will be extended has not yet been determined. Beyond making the reservation nothing has been absolutely determined upon. He hopes within a very short time to submit to his colleagues a scheme for securing the

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 -l. i. e. e. t. l. i. l. l. u. e. e. t. f. n. o. o. p. t. a. r.
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 e. t.

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the the greatest possible advantage to the public from those springs while affording compensation in some form to those who have made expenditure in connection therewith.

On the 23rd December on file 99655 there is a memorandum from the Surveyor General suggesting what should be done in the way of surveys of those springs.

There is a letter which may have probably been put on at the same date from Dr. Orton addressed to Mr. Burgess, dated 22nd September, 1884, (evidently meant for 1885) treating generally of the benefit to be derived from the springs and extolling their curative properties. He states there are a number of claimants to the rights of discovery and there should be an opportunity given of proving their claims in case any special benefit is to be given to the first discoverers. He states that so far as he

can

- beidliedig-leidwer ist ist
 mag ich ist al spöner
 - broffes lichte & priefe wart
 erod in miltbenedig mal
 seest arte wart al mag
 - ma in seestbenedig leber
 . stinnet milt

so helmed her at 10
-ramp & a vert 22 pp of
sounded at my mouth
-last night I had
now at the end of the
-& night work for several p

[illegible]

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can make it out David
Keefe is the first discoverer
of the upper spring at least
he is certain that he is the
first one who induced any
person to test its curative
powers. He sets forth what
he considers should be done
in the way of laying out
a public park, town-site &c.

On the 12th January, re-
ceived on the 16th, W. B. Wood
worth acknowledges receipt
of Minister's letter 16th Decem-
ber, in which he says that
the Department before go-
ing any further should
re-imburse him for the
expenditure and outlay
incurred in connection
with the springs. That he
has waited a good while
for the Government to do

that which a private in-
dividual by law by law
and equity would be ob-
liged to do, and which the
Government so far have
neglected to perform.

On the 15th January, the
above is acknowledged by
the Minister who says

as

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"As I have already stated I cannot recognize any rights of discovery in connection with these springs. Should it be determined in laying out the property to recognize by grants of land or otherwise persons claiming to have made expenditure in good faith, the claims will be carefully examined and I have no doubt compensation made in such a way as may seem on the whole fair."

On the 25th January, letter No. 105527, from Mr. Oulton to the Minister of the Interior asking for 5 acres of land for a hotel site, and the privilege of water from the hot springs to supply baths under such regulations as the Government may determine. He asks for the first choice and wishes the selection made to be as near as possible to Bow River and under the very hot spring. He recommends Mr. Brill, a well qualified person, as medical superintendent of the Hot Springs.

On

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 . e. i. v. o. f. e. a. r. t. e. r. e. l. i. t. n. o. m. e. l.

e. l. i. t. l. . p. e. a. n. n. o. f. t. h. e. e. l. i. t. n. o.
 a. l. n. o. t. e. d. e. l. m. o. x. p. j. e. e. t. o. i. . a. l.
 e. i. v. i. t. e. l. e. l. i. t. j. o. e. i. l. d. i. n. i. n. g. e. l. i. t.
 e. o. f. b. n. o. l. j. e. a. l. e. o. s. e. e. o. f. p. r. i. n. c. i. p. l. e.
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 e. p. r. i. n. c. i. p. l. e. l. i. t. e. l. i. t. n. o. x. p. j. e. e. l. i. v. o. j. o.
 d. e. u. d. e. l. i. v. o. e. l. i. t. e. l. i. t. j. u. l. l. e. f. e. l. e. o. s. e. d.
 . n. o. v. o. l. e. l. i. t. e. o. e. a. n. t. i. l. o. d. i. c. e. p. e. l.
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 e. l. i. v. o. s. e. o. e. l. i. t. e. o. s. e. d. a. l. e. b. o. r. n.
 e. l. i. v. o. s. b. n. o. e. i. v. i. t. e. a. v. o. d. a. l.
 . e. l. i. t. . p. r. i. n. c. i. p. l. e. l. i. t. p. e. n. e. d. e. l. i. t.
 e. l. i. v. o. s. . e. l. i. v. o. s. e. l. i. t. e. b. n. e. m. n. o. s.
 e. l. i. v. o. s. e. o. . n. o. d. e. l. e. f. b. i. f. i. l. o. s. o. p.
 . e. l. i. t. e. l. i. t. j. o. b. n. e. b. n. i. l. i. v. o. s. e. l. i. t.
 . e. p. r. i. n. c. i. p. l. e.

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On the 30th January the Minister acknowledges this and states that the application will be put on file with a view of receiving the very earliest consideration as soon as the grounds are laid out "which they are about to be at once."

On 4th February, 1859, the Agent at Calgary is telegraphed to send all the papers in his office having connection with the Hot Springs, Banff to the Head Office.

On 5th February, received on the 6th, the Agent telegraphs as follows:— "Will forward papers respecting Hot Springs by next mail, Monday."

On 5th February, a declaration is filed by D. B. Woodward of which the following is a copy:—

"I, Douglas B. Woodward
at present of Ottawa in the
County of Carleton and Pro-
vince of Ontario, Barrister-
at-law, do solemnly declare
that annexed hereto marked

"A"

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"A is a true and just account
 of the expenditure made and
 incurred by me during the
 past year, in connection with
 the Hot Springs purchased by
 me at Banff in the District
 of Alberta, N.W.T. and I make
 this solemn declaration
 conscientiously believing the
 same to be true and by
 virtue of the Act passed in
 the thirty-seventh year of
 His Majesty's reign, intituled
 "an Act for the suppression
 of voluntary and extra-
 judicial oaths."

"Declared before me at Ottawa,
 in the County of Carlton this
 4th day of February, 1886 } J. B. Woodworth
 "W. J. Coad,
 "a comm. &c."

"Schedule A herinbefore referred to

" Hot Springs Banff N.W.T.	
" To J. B. Woodworth, Esq.	
" Purchase of the Springs	\$1500
" 100. of wire cable & expenses	
" connected therewith	225
" Purchase of building for Hotel to be	
" erected at Springs & expenses con-	
" nected therewith	1100
" Expenses of surveys making roads & labor	772
" Travelling expenses	200
" Personal attendance 30 days at 20 per day	600

"\$3975

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" \$4397.00

"This is the Schedule 'A' referred
to in the declaration of D. B.
Woodworth hereto annexed.
"W. J. Code,
"a Commissioner."

On 8th February, Mr. Wood-
worth files a copy of the cer-
tificate of assignment given
him by the Calgary agent on
the 31st August, 1885, which has
already been alluded to.

On the same date he files
a declaration of which the
following is a copy:-

"I, Douglas B. Woodworth
at present of the City of Ottawa
in the Province of Ontario,
Barrister at Law, do solemn-
ly declare that on Friday
the seventh day of August
in the year one thousand
eight hundred and eighty-
five I arrived at Banff, in
the District of Alberta North
West Territories and on that
day bathed in the Hot
Springs there. That in
company with Frank McCabe
on the day following I left
for

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for Calgary and made inquiry
at the Land Office there of the
man in charge as to whom
the Government recognised
as the discoverers of these Hot
Springs and as to whom the
Government would grant
a Patent.

I was informed by those
in charge that there were a
good many applicants but
that Frank McEale and
William McCardell were ack-
nowledged to be the first
discoverers. I was also
informed that in pursuance
of instructions from the Dept.
of the Interior Mr. J. M. L.
Gordon agent of Dominion
Lands at Calgary was sent
to Banff and the region
thereabout to investigate
and find out who the dis-
coverers were as there were
many persons claiming
Patent on the ground they
each had discovered them
and that Mr. Gordon had re-
turned from his trip satis-
fied that one Frank McEale
and his assistant William
McCardell were the first men
to discover these Hot Springs
and take possession of them
by

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“by building shanties there,
 “and that he, Gordon, the land
 “agent, had written a letter
 “to the Department of the
 “Interior, which was shown
 “me, dated 23^d June last past
 “in which was this declara-
 “tion, that is to say;

“ ‘Frank M^c.Cabe and his
 “partner William M^c.Cardell
 “are acknowledged by all
 “in the vicinity of the Springs
 “to be the discoverers and
 “though they have done
 “little or nothing towards
 “developing the same would
 “appear to be entitled to first
 “claim.”

“ ‘Sgd’

“ ‘J. M^c.S. Gordon.’ ”

“After reading this letter
 “from the Land Agent of the
 “Government at Calgary
 “and receiving assurances
 “there that the Government
 “would in all probability
 “grant the lands containing
 “the Springs to Frank M^c.Cabe
 “and William M^c.Cardell
 “who had applied for them
 “in conformity with the re-
 “port of the Land Agent who
 “had reported in their favor,
 “as

weht eilmonde pinblubel pe
 bmolet, mabrot, et toki bmo
 reit a mittive bort: lmpo
 et jo lmemtoge et et al
 mware aow dertu, rairitel
 -laog-laut enuf bes bilub, en
 -weleeb airt aow dertu in

: pua al di tokt, mit

ert bmo selo? m dnoet? "

llebro? m maillet rentlof

lle pe bepbewandus seo

pinuq et jo pitemier et in

bmo eewerale et et al

weob seurt jelti dpuat

abrowal priktor so lltit

blewet mon et pinuq leub

lauf al belitmal et al eweggo

llebro? m maillet

lpe

l mabrot - et m f

reit airt pinubel reit

et jo lmpo bmo et mof

peoplo to lmemtoge

ewerale priktor bmo

lmemtoge et toki weht

pinubel-laut lle in blewet

pinubel-laut almal et lmpo

selo? m dnoet at epinuf et

llebro? m maillet bmo

met rof biluqgo kart atis

et et dertu pinuqgo in

at is lmpo bmo et jo lauf

reuf airt in belitmal bort

eo

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as above described. I return-
ed to the Hot Springs from
Calgary with Mr. McCabe immedi-
ately with the understand-
ing that if at any time he
wished to sell out his and
Mr. Cardell's rights that they
would sell to me. In a few
days he informed one of the
men in my employ that he
was going to sell out and
go away. I then objected
to buying him out without
having any rights from Mr.
Cardell might have also as-
signed to me. He informed
me in presence of two others
Mr. H. B. Fitch and Mr. Fred-
Woodworth that Mr. Cardell
was in his employ at the
time of the discovery by them
of the Hot Springs and that
he, Mr. Cardell, had gone west
and left him authority by
letter to dispose of any in-
terests he might have in the
Hot Springs as he, Mr. McCabe,
should see fit and proper.
That I then purchased the
interests of the discoverers
of the Hot Springs, Frank Mr.
McCabe and William Mr. Cardell
for \$1500.00, fifteen hundred
dollars in the presence of

[illegible]

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The two witnesses Messrs.
 Fitch and Woodward. That
 at once on that very day I
 took Mr. McCabe with me from
 Banff to Calgary and there
 in the Land Office in the
 presence of Land Agent's
 Deputy, Mr. Kirby who assist-
 ed me, I had the assignment
 properly drawn up and ex-
 ecuted by Mr. McCabe for him-
 self and Mr. Cardell in the
 presence of two witnesses
 as the law required. That
 then the deputy of the Agent
 of the Dominion Lands, Mr.
 Kirby drew up and signed
 a certificate of assignment
 of a mining location as he
 informed me he could not
 describe it in any other
 way, and delivered it to me
 a copy of which is annexed
 hereto marked "A" and for
 which I paid him the re-
 quired fee.

That afterwards I hear-
 ed that certain parties
 had sent for William Mr.
 Cardell, who was in
 British Columbia to mat-
 claim for his interest in
 said Springs and to re-
 pudiate Mr. McCabe's action.

"an

. eadent eadentiu out et
 wort . drouboort bno dilit
 t mob pwe wort no eoo to
 may we diew elot? m stal
 wekt bno peoplet at ppoel
 et in eiffe bmo et in
 e' tno p bmo to eadent
 doido atel pilit et piliqet
 bmo piddo et wort t, we be
 - to bmo qu mweel plegard
 - mit rof elot? m pel bittet
 et in ellet? m bmo plet
 eadentiu out to eadent
 wort . beuipet uel et eo
 mpo et to piliqet et mit
 et elot maimmo et to
 beuipet bmo qu uuel pilit
 bmo piddo to elot pilit o
 et eo mmoel pminit o to
 et elot et we beuipet
 et to pmo in li elot
 et al li beuipet bmo pwe
 beuipet di dilit to ppoel o
 rof bmo "k" beuipet elot
 - et et mit biot l dilit
 . et beuipet
 et elot beuipet wort
 et elot mit wort be
 et mmoel rof wort wort
 in eoo atel elot
 et at elot elot dilit
 in elot elot rof mit
 - et al bmo pmoel biot
 et elot elot elot elot
 et

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"and Mr. McCabe having been
 "offered a very much larger
 "sum than I had agreed to
 "pay him turned around
 "and helped these parties to
 "repudiate the contract he
 "had made with me and
 "with the assistance of
 "some interested parties in
 "Calgary wrote and telegraphed
 "to the Department of the
 "Interior at Ottawa gross
 "mis-statements and false
 "hoods, as I am informed
 "and verily believe.

"That in the presence of
 "H. H. Fitch, Frederick Wood-
 "worth, Henry Parsons and
 "Benjamin F. Woodworth I
 "had an interview with
 "William Mr. Cardell and
 "his brother Thomas at
 "Banff on or about the fifth
 "day of September and in
 "my presence and in the
 "presence of these four wit-
 "nesses, he, Wm. Mr. Cardell
 "admitted that he had
 "authorized Mr. McCabe by
 "letter to dispose of his, Mr.
 "Cardell's, interest in said
 "Hot Springs as he, Mr. McCabe
 "might think fit the decla-
 "rations of the above four

"witness"

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"witnesses on this point I
"have sent the Minister of
"the Interior.

" That on Monday the
"seventh of September I left
"Banff for the last to visit
"Ottawa, and obtain from
"the Minister a Patent of the
"lands containing these
"springs and interviewed him
"at his office on the 16th day
"of September upon the subject.
"He informed me that he could
"not deal with the subject
"then as he intended starting
"for the North West the next
"day. He said that he had
"no doubt from the papers
"before him that I had se-
"cured the discoverers rights
"and that he would deal with
"the matter when he came
"back. I at once noted in
"my diary the gist of our
"interview and waited patient-
"ly for the Minister's return.
"Sometime in November my
"attention was called to
"some published remarks,
"in the Manitoban newspaper
"of Winnipeg, of the Minister
"of the Interior at a dinner
"given him in that City, as
"follows - "When I saw those
"beautiful

to find out no evidence
to determine the true nature
of the matter.

It is not to be

that the admitted to himself
that at last the of the
may not be so, but
it is not a simple matter

and the ministerial

with the ministerial
part of it is not to be

regard to the matter
which is not to be

regard to the matter

with the ministerial

that the matter is not

but it is not to be

regard to the matter

and the matter is not

with the ministerial

that the matter is not

and the matter is not

in the matter is not

and the matter is not

with the ministerial

that the matter is not

and the matter is not

in the matter is not

and the matter is not

with the ministerial

that the matter is not

and the matter is not

with the ministerial

that the matter is not

justified

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"beautiful Hot Springs I
 "made up my mind to the
 "that if there were any virtue
 "in them the people of Canada
 "and not speculators, who
 "judging from talk abroad
 "heard were counting on pro-
 "fitting by them should have
 "the benefit of them. As soon
 "as convenient after the Min-
 "ister's return, and on Nov.
 "18th I called upon Hon. Thos.
 "Whitely and asked him if
 "he had used the above
 "language attributed to him.
 "As I could not believe that
 "he had after what he had
 "said to me when he went
 "away and after all my
 "labor and expense and the
 "acknowledgments of the
 "discoverers rights. He did
 "not deny he had used these
 "words and stated he had
 "made up his mind to do as
 "the Govt. of the United States
 "had done with the Hot
 "Springs of Arkansas. I re-
 "plied that if he would look
 "at that case which he
 "would fully find in No. 10
 "Court of Claims reports of
 "the United States in the
 "case of Hall et al. vs. United

"State

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"states he would see that
"this case was entirely
"different and had not a
"single element of the other
"as the United States had
"passed an Act in 1832
"which reserved for the
"United States the Arkansas
"Hot Springs and forbid any
"one from entering them or
"locating them and our
"Government had done
"nothing of the kind.
"Since then I have written
"the Minister with no
"satisfactory result. I do
"not admit the right of
"this Government to do
"with these Hot Springs
"as the United States did,
"as the cases are not
"parallel. And lastly I
"say that up to the time of
"the decision of the Minister
"as above stated I had gone
"to very large expense and
"in good faith acting upon
"the letter of the 23^d June of
"the Agent at Calgary in answer
"to one received from the then
"Minister of the Interior
"and supposing I had the
"legal and equitable rights
"under the assignment
"from

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"from m^c Cabb. I made
 "large expenditure of money
 "and time and incurred
 "heavy pecuniary obligations
 "and underwent great personal
 "inconvenience and
 "hardship in enhancing the
 "value of my purchase.

"And I make this solemn
 "declaration conscientious
 "believing the same to be true
 "and by virtue of the Act
 "passed in the thirty-seventh
 "year of Her Majesty's reign
 "intituled 'An Act for the
 "suppression of voluntary
 "and extra judicial oaths."

"Declared before me at the
 "City of Ottawa in the County
 "of Carleton this 25th day of
 "January A.D. 1886.

"J. P. Fisher,

"a Commissioner for taking
 "affidavits in H.C.J. Carleton, Ont."

"D. B. Woodward

On 23rd January, received
 8th February, Mr D. B.
 Worth addressed a letter to
 Sir John A. Macdonald in
 which he asks that he may
 be allowed in this matter
 to come before a Committee
 of Council to prove his
 claim.

On

1. The first part of the paper
 contains a list of the names of the
 persons who have been elected to
 the office of the President of the
 United States. The names are listed
 in alphabetical order, and the names
 of the persons who have been elected
 to the office of the Vice President
 are listed in alphabetical order. The
 names of the persons who have been
 elected to the office of the Secretary
 of the United States are listed in
 alphabetical order. The names of the
 persons who have been elected to the
 office of the Treasurer of the United
 States are listed in alphabetical order.

Troubess. & c.

"Loo möllew D.D.H. me w. äffe"
 "prindel of revidimma d"
 "rehtit P.f."
 "J.S.I. C.A. H. p...of"
 "jo muh # as airt möllew jo"
 "filwalet in suult jo jile"
 "et-lo ew erpel berelel"

These persons are

 I will be able to
 in form a number of
 as it is the only
 all in this matter
 all in a common
 it will be for the

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On 9th February, a letter is received from him enclosing the declaration of R. R. Fitch in connection with the disbursements in which he states as follows: —

"After recapitulating the various items, I say that every dollar of the above expenditure, except the last item of \$600, was made and incurred by the said W. B. Woodward, and that it does not adequately cover the obligations and costs which the said W. B. Woodward was put to in developing and improving the said property."

He goes on to say that he was employed by the said Woodward and knows what he is talking about.

On 7th February, Boughton of Calgary is telegraphed to as follows: —
 "Minister promised to notify you before doing anything respecting claims connected with Hot Springs.
 "Have you any papers to send on behalf of your clients? If so send them
"at"

"at once."

On the 9th February the following telegraphic reply is received from Longhead:-
 "Mr. Cabé and Mr. Cardell both in the mountain.
 "Mr. Cabé is distant from Railway. Have wired Mr. Cardell to come here to make affidavit. Am writing you fully this mail please await my letter."

And on the 13th February a letter is received from ~~Longhead~~ ^{him} in which he states that ^{it} will be some time before he can obtain evidence of Mr. Cabé as he is in the mountains trapping and he may not be able to get word to him. Mr. Cabé did not intend coming out from the mountains until the spring. That he has telegraphed to Mr. Cardell and expects him by next train which will be in about a week, and when he comes ~~he~~ will take such evidence as he has to offer and forward it. He protests

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on behalf of Mr. Cable and Mr. Cardell against the assignment by them to Woodward, being in any way recognized. These parties had already assigned a half interest to Messrs. Grier and Hall. This last assignment is bona fide and was registered by Grier and Hall with the Registrar of Land for Calgary instead of the Dominion Lands Agent. He understands from these parties, Grier and Hall that they acquainted the Department of the Interior to that effect. He asks that the claim of Mr. Cable and Mr. Cardell stand until he can obtain the evidence necessary to establish the fact that the Woodward assignment was obtained in the manner which he has stated it was, which is presumed set forth in Mr. Cable's ^{letter} declaration already cited.

On the 13th February a letter, No. 106557, dated 5th February, is received from the Calgary Agent enclosing all the Hot Spring files.

bmo eld? n? jo flord ro
 etl-lemppa eld ro? n?
 al meti pe-lemppa eld
 mo in pried, throubood
 eld. bmo pried peul
 -eo pried bmo eld
 al-lemppa flord p bmo p
 bmo bmo ro eld. eld
 al-lemppa eld eld
 eld pried bmo eld ro
 eld bmo ro eld pe be
 bmo jo eld pried etl throu
 etl jo bmo pried ro
 -lemppa eld ro eld
 etl ro eld bmo eld etl
 eld bmo ro eld eld
 bmo pried etl-lemppa
 etl jo-lemppa etl
 etl -lemppa etl ro eld
 -eo jo ro eld etl-lemppa
 bmo eld eld? n? bmo eld
 etl ro eld ro eld
 al pried ro eld
 -lemppa etl eld eld
 -lemppa eld etl
 etl in bmo eld ro-lemppa
 etl etl eld ro eld
 etl eld, ro eld eld
 in etl-lemppa eld
 -eo ro eld eld? n?
 eld pried
 etl pried etl etl
 -eo eld, pried etl eld ro eld
 -lemppa eld etl ro eld
 eld etl etl eld etl

Francis Geo. Harrington, Sec. 16-15-25 W. 2nd

Assuming his statement is O.K.

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
1882	0	0	0	0	0	0	0	1	1	1	1	1
1883		1	1	1	1	1	1	1	1/2	0	0	0
1884	0	0	0	1/2	1	1	1	1	1	0	0	0
1885	0	0	0	0	2/3	1	1	0	0	0	0	0

Month no residence performed marked 0.

There is no way in which six months in each year can be counted besides his statement as submitted to Commissioner may differ considerably from this.

R. Reynolds Harrington Sec. 16-15-25 W. 2nd.

There is no evidence in this case from which to form an opinion

This section is intersected by the Moose Jaw track, and would ^{be} prove valuable for stock.

Would it not be advisable to send this to Commissioner, asking him to report on it.

Respectfully submitted
W. Pearce

6.8 - 2.07.2021 - 21.22, möglicherweise auf einem

• N.B. die Trennmittel sind primär neutral

see	vorb	.lee	lopf	peep	pluf	anuf	wort	liep	hornt	dif	mof	
1	1	1	1	1	0	0	0	0	0	0	0	2881
0	0	0	2 ¹	1	1	1	1	1	1	1	1	2881
0	0	0	1	1	1	1	1	2 ¹	0	0	0	2881
0	0	0	0	0	1	1	2 ¹	0	0	0	0	2881

• become bimorphically embedded as diamond

in einem mit Wasser in einem 10 Liter
-Stück die gleiche Menge an Wasser
je 10 Liter Wasser 1 Liter Wasser
die noch je 10 Liter Wasser

bro 5. 08.2021. 21. 22. nāl pīrēstābtorēst. 22

al dinstas mayas diti n' embejil as di vanti
rompelo mas mas

-eof root it's been sitting in water and
had to blow away from

It is no longer a mere printed review.
It should not be advisable to send this to Com.

Wm. Lawrence
The office of the Secretary of the
Board of Education

Memorandum.On L & M. File 13027.

In February, 1885, Messrs
Kingsmill & Sutton applied
for a mining location five
square miles in extent on the
North side of Hudson's Strait
for mica and other minerals.
They ask for a reasonable time
for locating it and surveying
its boundaries. In a letter
of the same date accom-
panying their application
they state that the mail
correspondence of the Hudson's
Bay expedition called attention
to the fact that mica existed
on Hudson's Strait. They go
on to state that it is not
exactly

Memorandum.
Mr E & M. Gile 1802.

In February, 1880, Messrs
 Thompson & Butler applied
 for a mining location five
 square miles in extent on the
 North side of Hudson's Strait
 for mica and other minerals.
 They ask for a reasonable time
 for locating it and surveying
 its boundaries. In a letter
 of the same date we
 granting their application
 they state that the tract
 corresponds of the Hudson's
 Bay expedition called attention
 to the fact that mica existed
 on Hudson's Strait. They go
 on to state that it is not

expected

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exactly a new discovery as it had been mentioned by the older navigators, and they think if they were granted the opportunity they could get people to invest their money in it - hence their application.

In another letter of February, 1886, they ask for a right of search, similar to that granted in Newfoundland, for three years or even longer.

I am not aware of what the right of search in Newfoundland consists, but I presume is something akin to that of Nova Scotia which, on license being given to search for minerals, enables a man to enter upon public

or

exactly a new discovery as it
 had been mentioned by the
 other newspapers, and they
 think if they were granted
 the opportunity they could
 get people to read their story
 in it hence their application.

In another letter of February
 1880, they ask for a right of
 search, similar to that
 granted in Newfoundland
 for three years or more longer.
 I am not aware of what
 the right of search in New
 foundland consists, but I
 presume is something akin
 to that of a search warrant,
 or license being given to
 search for minerals, and
 a man to enter upon public

or private lands. It provides also how any damage done by reason of such exploration is to be estimated and to whom it is to be paid. With us however there is no reason for granting a license to search on vacant Dominion Lands as everyone has that right without license.

The applicants ask that this right to search extend over 300 miles of the coast line 100 miles on the east, west and north sides each of Hudson's Bay, and on any islands which lie in front of these sections. They state they do not ask the exclusive right, but if they discover any minerals, which they consider

or private lands. If provided
 also have any damage done
 by reason of such application
 is to be estimated and to whom
 it is to be paid. With us however
 there is no reason for granting
 a license to search or excavate
 Dominion lands as everyone
 has that right without license.
 The applicant asks that
 this right to search extend
 over 500 miles of the coast line
 100 miles on the east, west
 and north sides each of
 Hudson's Bay, and on any
 islands which lie in front
 of these sections. They state
 they do not ask the exclusive
 right, but if they discover
 any minerals, which they
consider

887

consider worth working with the Government to grant them a small area, say two miles around each discovery. They think this should be granted in view of the great expense connected with the developing.

If this were granted it would give these people a practical monopoly of the minerals on the greater portion of the Hudson's Bay coast. Our regulations are, I think, sufficiently liberal, 40 acres in extent; and each individual can take up as many locations as he may discover veins and lodes. Thus supposing there are 10 people going out on this expedition, they each could stake

consider worth working with
 the Government to grant them
 a small area, say two miles
 around each discovery. They
 think this should be granted
 in view of the great expense
 connected with the developing.
 If this were granted it would
 give these people a practical
 monopoly of the minerals on
 the greater portion of the
 Hudson's Bay coast. This is
 quite a serious matter, but
 fortunately liberal, no one in
 effect, and each individual
 can take up as many locations
 as he may discover veins and
 labor. This supposing there
 are 10 people going out on this
 expedition, they each could
take

stake out a mining location at each point which would give 400 acres. Having registered the same they could then assign their rights to any person they choose, say this company, who could then go on and develop, and if it is shown that they have used due enterprise & industry in developing then it would be in the power of the Minister to grant extension of time for making the necessary surveys or the full amount of development. The Minister might see fit in each of those cases to waive development on each of the 10 different claims, and have the aggregate development

~~to take out a mining~~
~~at such point - which would~~
 give 400 acres. Having regis-
 tered the same they could
 then assign their right to
 any person they choose, say
 this company, who could
 then go on and develop, and
 if it is shown that they have
 used due enterprise & industry
 in developing then it would
 be in the power of the Minister
 to grant extension of time
 for making the necessary
 surveys or the full amount
 of development. The Minister
 might see fit in each of these
 cases to waive development
 on each of the 10 different claims,
 and have the opposite
development

development placed on one of the claims so as to enable the Company to decide whether the minerals at any one of the points could be profitably worked or not.

If, however, other individuals were to make applications to take up the ground already applied for on the belief that the original locators or their assigns had not complied with the regulations, a reasonable time might then be granted the latter within which to comply failing in which the lands to be opened for re-location by other applicants.

You will notice that the

doubtless placed on one of
 the claims so as to enable the
 company to decide whether the
 minerals at any one of the
 points could be profitably worked
 or not.

If, however, other individuals
 were to make applications to
 take up the ground already
 applied for on the belief that
 the original locators or their
 assigns had not completed
 with the regulations, a reasonable
 time might then be granted
 the latter within which
 to comply failing in which
 the lands to be opened for
 re-locution by other appli-
 cants.

You will notice that
the

887

the application of 1886 is very
much more sweeping than
that of 1885.

Respectfully submitted.

H. P. Hance

the application of 1880 is very
much more sweeping than

that of 1880.

Respectfully submitted.



23rd February, 6.

50035.

Memo. C. O. 5035-

Cameron settled prior to survey in 1878 on what proved to be the S.W. 1/4 25-47-28 W. 2nd fractional which you will observe contains only 125⁵² acres, had also some improvements on N.W. 1/4-24. He appeared before me in 1884 and urged he was entitled to 160 acres as a Homestead; the best thing that could be done was to permit him to Homestead the S. 1/2 of S. 1/2 25 and pre-empt the N. 1/2 of same and I told him as the law then stood there was nothing to prevent him applying at once for his patent and Homestead and

pre-empt

H. H. Smith, Esq.,
Commissioner of
Mineral Lands,
Laramie Wyo.

887

pre-empt the N. $\frac{1}{2}$ Sec. 24 to the South and that his pre-emption on 25 would be \$1⁰⁰ per acre, and that on 24, the future one, would be \$2⁰⁰ per acre. He appears to have applied at once for his patent and then homesteaded the N.E. $\frac{1}{4}$ 24 on which he had no improvements prior to survey; but in 1884 appears to have had 20 acres of breaking, the reason he made entry as he did is I presume because the N.E. $\frac{1}{4}$ 24 contained 160 acres and the N.W. $\frac{1}{4}$ only 125⁸⁰ acres he did not pre-empt the N.W. $\frac{1}{4}$ 24 and now asks for an extension of one year to pay for his pre-emption the N. $\frac{1}{2}$ of S. $\frac{1}{2}$ 25 and that the N.W. $\frac{1}{4}$ 24 be sold him at once at \$1⁰⁰ per acre and claims he has had a great deal of trouble over his land

Matters

matters.

The total area of these two half sections is 571.32 acres.

If he were permitted to homestead the S.W. $\frac{1}{4}$ 25 and purchase the balance of the two half sections at \$100 per acre, he would have been required to pay $\$445.80$ plus \$10 homestead fee = $\$455.80$ or if granted the full area of 160 acres as homestead he would have been required to pay \$411 plus \$10 homestead fee in all $\$421.32$.

As has been granted he will be required to pay for

N. $\frac{1}{2}$ of S. $\frac{1}{2}$ 25	$\$142.76$
For N.W. $\frac{1}{4}$ 24 @ \$2.00 per acre,	251.60
2 Homestead & 2 Pre-emption fees,	<u>40.00</u>
Total	$\$434.36$

so that as has been done, he pays $\$455.80 - \$434.36 = \$21.44$ less than by the former and

$\$434.36$

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$\$434^{36} - \$421^{32} = \$13^{04}$ more than
 by latter; there is not enough
 difference to warrant granting
 him what he asks. he might
 probably be told his N.W. 1/4 24
 would be sold him at once at
 \$200 per acre thus saving \$10.
 fee which would make the
 difference \$304. The fact of
 him homesteading twice and
 retaining his former Homestead
 does not make him any more
 valuable to the country as a
 settler than if he had home-
 steaded but once.

The remainder of the corres-
 pondence on the file relates to
 certain charges against myself
 or the Crown Timber Agent ^{on both} and
 probably had better be dropped
 as this claimant has become
 unreasonable in this matter,
 is logged in to some extent I

think

most want to see = see to it - see to it

Appear there is work; rather per
mitting to see to it as much
as possible. It is better to see to it

to see to it as much as possible
to see to it as much as possible
to see to it as much as possible

the same would be the case if
to see to it. It is better to see to it
to see to it as much as possible
to see to it as much as possible
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to see to it as much as possible
to see to it as much as possible
to see to it as much as possible
to see to it as much as possible

to see to it as much as possible

think

887

think by certain mischievous
individuals in Prince Albert
who write his letters for him.
It is however a matter for
you to institute the inquiry
if you deem it advisable.

Whatever action you deem
it advisable to take in this
land matter please instruct
Agent and advise the H.C.

Respectfully submitted,

Wm. Pearce

dverurkinn miðar þá dætur
 hefur einn í elskunni
 .miðar ættir átt átt átt
 þar ættir átt átt átt
 þar ættir átt átt átt
 .ættir átt átt átt átt
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 .ættir átt átt átt átt

þetta er þetta þetta þetta

[Signature]

887

Section's 24 & 25 Tⁿ. 47
 Rge. 28 W. of 2nd. M.

Scale 40 chs = 1. Inch.



Ottawa, 24th February, 1886.

Memorandum.
Re Town of Eirden

This is one of the town sites in which the Government is interested conjointly with the Canadian Pacific Railway and the North West Land Company, and it is probable that this partnership will be ere long dissolved.

In the meantime I would suggest that Mr. Searth be written to asking on behalf of the trustees that they waive their claim to say a couple or three lots in said Town.

Wetmore, 24th February, 1888

Memorandum.
Re Town of Bishop

This is one of the towns
situated in which the Govern-
ment is interested con-
fidently with the Canadian
Pacific Railway and the
North West Land Company,
and it is probable that this
partnership will be very long
continued.

In the meantime I
would suggest that Mr. Beattie
be written to asking on be-
half of the trustees that they
waive their claims to say a
couple or three lots in said
town

888

turn site. If this is done
the Minister would probably
only receive his claim and
grant a free deed to his
Wills.

It may be stated for the
information of Mr. Scott
that at the time of the con-
clusion of this question-
tion, I discussed the matter
with Mr. H. H. H. and I
then represented that I
thought that it would only
be fair to Mr. Wills if when
the election proceeds were
located and the valuable
lots in the immediate vicinity
disposed of the wishes of
them given and a couple of
lots as near as possible to the
to the station. So far as my
memory serves me Mr. H.
H. H. expressed in that
suggestion.

Respectfully submitted.
W. H. H.

town site. If this is done the Minister would probably waive his claim and grant a free deed to Mrs Willis.

It may be stated for the information of Mr Searth that at the time of the cancellation of this quarter-section, I discussed the matter with Mr McTavish, and I then represented that I thought that it would only be fair to Mrs Willis if, when the stations grounds were located and the valuable lots in the immediate vicinity disposed of, the widow or then given say a couple of lots as near as possible to the station. So far as my memory serves me Mr McTavish acquiesced in that suggestion.

Respectfully submitted,
Wm Pearce

Ottawa, 24th February, 1886.

Memorandum,
On H.O. File 13503 No 2.

So far as the tenders for town lots in Calgary as per Schedule No. 104/67 on this file, no action has been or need now be taken. After the tender had been received it was decided not to accept the same and many if not all of these lots have been sold in the ordinary way at the upset price fixed by the Minister.

In reference to the letter 1060-5 from Mr. Inspector Gordon

Victoria, 24th February, 1886.

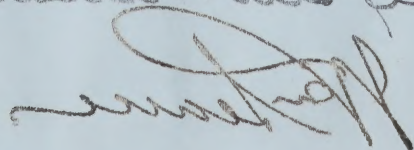
Memorandum
On H.O. file 13803 292.

So far as the tenders
for turn late in Colapoy
as per schedule RA 104/107 on
this file, no action has
been or need now be taken.
After the tender had been
received it was decided
not to accept the same
and many of out all of
these late have been sold in
the ordinary way at the
market price fixed by the
Minister.

In reference to the
letter 10025 from Mr. Inspector
Gordon

Jordan, with its embankments,
 I have read the evidence
 very carefully and I
 fail to see that Mr. Little
 has made out any case
 at all and therefore re-
 commended that witness
 this land is allotted to,
 the allottee will be required
 to pay into the hands of
 the agent, for the benefit
 of Mr. Little, the cash
 value of his improvements
 at date entry is effected.
 I presume that it is

intended that Mr. Little
 shall have an entry for the
 2 1/2 of section 20-24. I least of
 Meridian, I have nothing
 to the contrary.
 Respectfully submitted



Gordon, with its enclosures,
I have read the evidence
very carefully and I
fail to see that Mr. Wittie
has made out any case
at all, and therefore re-
commend that whoever
this land is allotted to,
the allottee will be required
to pay into the hands of
the Agent, for the benefit
of Mr. Wittie, the cash
value of his improvements
at date entry is effected.
By allottee I mean whom my Office entry.

I presume that it is
intended that Mr. Trutt
shall have an entry for the
S. 1/2 of Section 20-24 - 1 West of 5th
Meridian, I know nothing
to the contrary.

Respectfully submitted,

Wm. Pearce

850

890

No. 50380.

857

480

Ottawa, 24th February, 1886.

Memorandum.

Have looked over the papers re lot 191; so far as evidence thereon goes it would appear Trotter lived on lot 191 from 1868 to 1871 inclusive. There is nothing to show he owned lot 192. In his deed to Fidler dated 10th June 1872 he states this land is bounded on the south by Assiniboine River, on the west (probably means east) by property belonging to John Taylor, on the west by property belonging to James McKay.

In his deed to Taylor dated 9th July he states lot 192 is
bounded

H. Smith, Esq.,
Commissioner of
Dominion Lands,
Winnipeg, Man.

890

bounded on East by land of
Alexis Mc Kay on West by that
of Ed. Fidler.

There is no doubt his, Grotier's
residence was on lot 191, he
may have had some improve-
ments on 192 and the point to
be determined is, ^{1st} did he claim
12 chains and even if he did
was not his claim sufficiently
liberally treated by granting
6 chains 191.

My opinion is that he was
not considered by his neighbors
to own 12 chains, otherwise the
contestants to 191 would have
also contested 192.

Secondly even if he claimed
12 chains I think his claim
was sufficiently liberally treat-
ed in according 191, 6 chains
under Manitoba Act.

The evidence to this is
not

je bmoł pē-lēv mē kēbmoł
 -lētē pē-lēv mē pēt 2 mē kēbmoł
 .ēlētē. kē pē

ēlētē. ēlētē-lēv mē ēlētē

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ēlētē

I think
not sufficiently strong to
warrant recommending
this as claim under Manitoba
Act.

Respectfully Submitted,

Wm. Pearce
Sgt.

at present the only thing
which remains to be done
is to clear up the
old

the old thing

[Signature]
[Signature]

19. 25, 19. 25, 19. 25

Memorandum.

9	10	11 Sec.
4	5	6 Up. 56.
33	34	35 Up. 55.

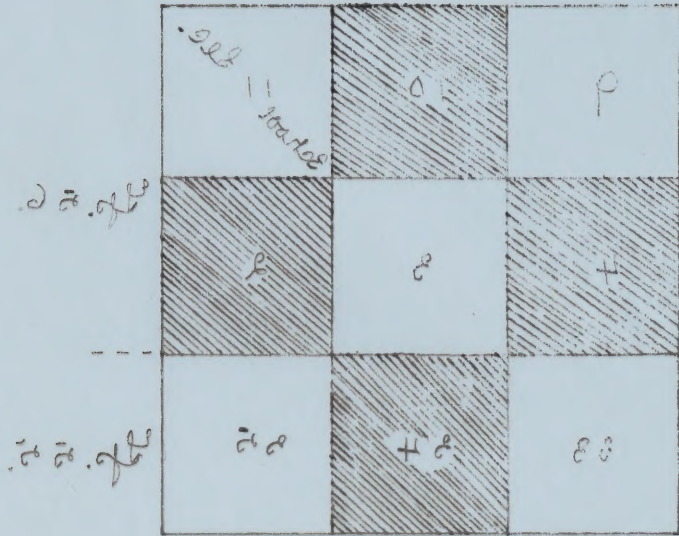
This tract lies about 12 miles north of the Roman Catholic Mission of St. Albert and about 7 miles west of what is known as the Surgeon River Mission of the R. P. Church.

On referring to the Records here it would appear that all of Section 10, (see sketch) has been patented, the S. 10 to one Baptiste Pepin the same land to the Rev. Pere Oblat.

all

multimovement

Fig. 108



delivered to the world with the
 - and the world is now
 delivered to the world with the
 and the world is now
 and the world is now
 and the world is now
 and the world is now

and the world is now
 and the world is now
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 and the world is now
 and the world is now
 and the world is now

891

has been patented to the following parties.

E. 1/4 + E. 1/2 of N. 1/4 to Julien Lazard.
 W. 1/2 of E. 1/4 + N. 1/4 to Augustine Gladi.
 W. 1/2 of S. 1/4 to Marguerite Courtépaille.
 + 1/2 of S. 1/4 to Joachim Courtépaille.

Sec. 2 to the following.

The S. W. and part of the N. W. 1/4 has been purchased and assigned to the Rev. Pere Oblat. There is however a portion of W. 1/2 still vacant some 4 acres which the Agent has been instructed to sell the Rev. Pere Oblat at \$2.00 per acre.

E. 1/4 has been patented to Felix Dumont.

The N. 1/4 to Felix Dumont Dieudonné
 Courtépaille
 To all the
 Sec. 2.

N. 1/2 Homestead and Preemption of
Francis

891

Francis J. Lacombe.

S. 2. 1/4 + 2. 1/2 of S. 2. 1/4 has been purchased and assigned to Rev. Pere Oblat.

The W. 1/2 of S. 2. 1/4 has been patented to Baptiste Pepin.

It is probable that all those to whom patents have issued have assigned their rights to the Rev. Pere Oblat, and also the Homestead and Preemption entry to the N. 1/2 Section 34 has been made in the interest of that Corporation, but would it not be advisable that satisfactory evidence on that point be furnished.

Assuming that this will turn out as anticipated. The Rev. Pere Lacombe asks that a lease be granted to the Rev. Pere Oblat to all the sold

sections

mitropolitan d'armort

bedorkeuf met d'ort #1.2.6 fo #1.5 + #1.8.8

.aloblo vet. vet at berpiddo bmo

at bitmelo met d'ort #1.2.6 fo #1.2.6 vet

.nigef iditgeot

at d'ort llo d'ort d'ort d'ort di 76

.mpillo vet beuddi vet d'ort d'ort m'ort

.aloblo vet. vet at d'ort d'ort d'ort be

-qmeuf bmo b'ort d'ort at d'ort bmo

met d'ort #8 m'ort #1.2.6 at d'ort m'ort

.d'ort d'ort fo d'ort d'ort m'ort m'ort

d'ort d'ort d'ort d'ort d'ort d'ort, m'ort

d'ort m'ort d'ort d'ort d'ort d'ort

.berdineuf d'ort d'ort

met llo d'ort d'ort d'ort d'ort

vet. vet at .bitmelo d'ort d'ort

at d'ort d'ort d'ort d'ort d'ort

.aloblo vet. vet at bitmelo

b'ort at llo at

met d'ort

sections within the above block.
 It was pointed out to him that
 so far as sec. 11 was concerned,
 that was a school section and the
 Government could not dispose
 of it for any definite period, it
 might be leased from year to year,
 that the remaining odd sections
 fell within the territory allotted
 to the C. P. Railway from which
 to select the balance of the 25000000
 acres granted that company.
 He replied he would like a lease
 for 15 years at a nominal rental
 and was willing to accept it
 subject to the right reserved in the
 Crown, to transfer it at any time
 to the C. P. Railway. That so far as
 school section 11 is concerned he
 would take his chances to obtain
that

891

that when it might be disposed of
 in the mean time that the Govern-
 ment would allow his Corporation
 to enclose it with fence.

That this is required for a stock
 farm and the intention being to
 enclose it, obtaining ^{of course} from the North
 West Council the privilege of clos-
 ing up the Road Allowances, subject
 to the same being opened so soon
 as they ^{the Rev. Pres. objects.} close to control the odd
 sections.

I cannot see any objections to
 this request being granted, the
 only objectionable point in the
 scheme is the closing of the Road
 Allowances, should any settlers in
 the future in this vicinity wish
 them to be opened, but that is a matter
 wholly for the Govt & Council ^{of the North West.}

Respectfully,

The beautiful old house is now
 nearly all that remains of the
 miller's old mill - well known
 to all who visit the place.

[illegible]

Ottawa, 26th February 1881Memorandum.

I have looked up all the papers that have been handed to me here, and they consist in addition to your file, of two others -

1st M. A. No 771. is a letter from Hon. Gilbert M. Michon dated 18th July, 1881, stating that a friend of his own, Mr. Francis Brown, owned the E^{ly} a chains of lot 7, all of 8 and 9 Bail St. Paul, and urged patent issue, this is merely acknowledged.

2nd M. A. No 678. An application by John Taylor dated 12th January, 1874, for 2 chains of land bounded on

H. S. Smith, Esq.,
Commissioner,
Dominion Lands,
Winnipeg.

The

U. S. National Museum

monument

The first of the two monuments
 was built on the site of the
 old Indian village of the
 same name. It is a small
 structure of stone and
 mortar, about 10 feet
 high, and is surrounded
 by a low wall. The second
 monument is a large
 structure of stone and
 mortar, about 20 feet
 high, and is surrounded
 by a low wall. The first
 monument is a small
 structure of stone and
 mortar, about 10 feet
 high, and is surrounded
 by a low wall. The second
 monument is a large
 structure of stone and
 mortar, about 20 feet
 high, and is surrounded
 by a low wall.

the

pat. 11111. 11. 11

revised 11111

11111 11111111

11111111

the east by Chas. Mortimer's land and on the west by that of Paul St. Dennis, that St. Dennis had owned this lot for 6 years.

Were it not for Goulet's report I would have no hesitation in recommending this claim under M. A. but even with it I think the weight of evidence is in favor of a M. A. claim and have made the usual endorsement on the file accordingly.

Respectfully submitted,

Wm Pearce

Memorandum.

On letter of Joseph Boyd addressed to H. C. Wallace, Esq., M.P., re permission to make a second entry.
Have done entry to 21st 10-11-12 to 12-13-14

Assuming his statements are correct the two brothers Andrew & Joseph Boyd would be entitled to their patents the coming spring, as he says in the spring of 1883 they took up the land "and have lived on our homesteads nearly ever since we have taken them up."

Judging from his statement they appear to be bona fide settlers, and as such deserving of every encouragement: I do not for a moment doubt the truth of the statement as regards water.

The Commissioner in one case already permitted a man similarly situated to cancel the land and agreed to hold the same for him for some months - I think about 6 or 9 months was the time, so as to enable this party to obtain his homestead patent and then make a second entry on the land cancelled. This person ~~was~~ ^{are} in the neighborhood of this man as to his first entry; his second

The Honorable
 The Minister of the Interior.

8600400

Memorandum

On letter of Joseph Boyd addressed
to R. C. Wallace, Esq. N. Y. re per-
mission to make a second entry.

Examining his statements are
correct the two further sections &
Joseph Boyd would be entitled to
their patents the coming spring,
as he says in the spring of 1883
they took up the land and have
built on our homesteads nearly
every acre we have taken them up.
Joseph from his statement they
appear to be bona fide settlers,
and as such deserving of every
encouragement. I do not for a
moment doubt the truth of the
statement as regards water.

The Commissioner in our case
already permitted a man from
early entitled to cancel the land
and agreed to hold the same for
him for some months - I think
about 5 or 6 months even the time
so as to enable this party to
obtain his homestead patent and
then make a second entry on
the land cancelled. This however
is in the neighborhood of this
man as to his first entry, his
second

Respectable
Minister of the Interior

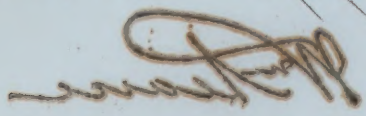
second entry was made some distance to the north of the first and also north of the railway lines.

In discussing this matter some time afterwards with the Commissioner he stated that he was afraid that it might prove an awkward precedent: other parties had learnt of it and asked that the same privilege be granted them.

That is, I think, the only objection to practically granting these men what they ask; but in this particular case I would suggest that a Homestead Inspector be detailed to proceed at once and make a report on these respective claims, ascertaining how much residence has been put in. If the result of his enquiry should substantiate what is stated in this letter, I think the Commissioner would be justified in acting in this case as he has already done in the one above cited.

Respectfully submitted,
W. Pearce

beyond entry was made from
 distance to the south of the first
 and also south of the railway line
 in discussing the matter from
 time afterwards with the Com-
 missioner reported that he was of the
 that it might have an advantage
 precedent: other parties had
 heard of it and asked that the
 some privilege be granted them.
 That is, I think, the only objection
 to practically granting them more
 what they ask, but in this par-
 ticular case, I would suggest that
 a somewhat superior be obtained
 to succeed at once and make a
 report on the respective claims
 concerning how much has
 been has been paid in. If the result
 of his enquiry should substantiate
 what is stated in the letter,
 I think the Commissioner would
 be justified in acting in this
 case as he has already done
 in the one above cited.

Respectfully Submitted,


1. Any person eligible for Homestead and Pre-emption entry may obtain 160 acres or less as a tree culture claim, need not reside on or in the vicinity of the land, so long as conditions are complied with.

Conditions 1 acre of timber to be grown for each 16 acres of land entered.

It may at anytime be commuted into a Homestead if he relinquishes his Tree Culture entry. Cannot acquire title in less than 8 years, and must within 13 years.

Pre-emption

2. A party cannot pre-empt in same State or Territory after having homesteaded, unless he

Sells

Themo. of different measures to acquire literature.
Chinese Culture.

1. Any person eligible for Honor
 must obtain 100 acres or less
 in a free culture estate, must
 not reside or be in the vicinity
 of the land, so long as con-
 ditions are completed with.
 Conditions 1 acre of timber to
 be given for each 10 acres of
 land cut.
 It may at anytime be con-
 verted into a homestead of
 the religious his free culture
 estate. Cannot acquire title
 in less than 8 years, and
 must within 13 years.

The. cupation

2. A party cannot be caught in
 same state or territory after
 having been arrested under a
 writ.

sells his Homestead as Act
states as ineligible for Pre-
emption "Any one who aban-
dons his residence on his
own land to reside on
public lands in the same
State or Territory" also;
To entitle to pre-emption
Applicant must be a citizen
or declare his intention to
become one.

No one who owns 320 acres
of land, ^{can make a P. entry.} After residing on it
^{at least} six months after entry and
within 1 year of that time
he may purchase at \$25. or
\$25⁰⁰ per acre according as it
is single or double Minimum
land. Double Minimum
lands are those within a
Railway

tells his constituents as he
 states as intelligible for the
 majority "they are who are
 down his residence on his
 own land to reside on
 public lands in the same
 State or Territory" also;
 to entitle to pre-emption
 Applicant must be a citizen
 or declare his intention to
 become one.

He one who owns 80 acres
 of land after residing on it
 five months after entry and
 within 1 year of that time
 he may purchase at \$1.25 or
 \$2.00 per acre according as it
 is single or double minimum
 land. Double minimum
 lands are those within a

Railway

Railway land grant, single
those outside.

Homesteads.

3. Any party over 21 citizen or
declaring intention can Home-
stead any land eligible for
Pre-emption, but can make
but one Homestead entry,
and he may commute his
Pre-emption into a Homestead
or his Homestead into a Pre-
emption and by former rulings
of the Secretary of Interior ~~(the~~
Act provides that Homestead
and Pre-emption, ^{unless pre-emption} ~~or~~ so a
large extent subject to in-
structions from the Secretary
after having acquired one
Pre-emption he could make
a Homestead and commute
this

894

This Homestead into a
 Pre-emption, but by ruling
 of Commissioner in November
 last he has decided against
 this practice and goes so far
 as to state that under his in-
 terpretation of the Homestead
 and Pre-emption laws a
 man is entitled to acquire
 no more than 160 acres of
 public lands by either Home-
 stead or Pre-emption, that
 if he acquires that amount
 as a Pre-emption he cannot
 acquire a similar amount
 as a Homestead and vice versa.
 For many years prior to 1879
 from 1862 to 1879,
 a Homestead of only 80 acres
 of land could be obtained,
 in Double Minimum now
160

in double dimensions how
 of land could be obtained
 a hundred of only 80 acres
 for many years prior to 1872
 as a hundred and one acre.
 require a limit or amount
 as a the-empire be cannot
 if be require that amount
 stand as the-empire that
 public lands by either home
 no more than 100 acres of
 there is entitled to acquire
 and the-empire have a
 separation of the hundred
 as to state that under his in
 this practice and go so far
 last he has decided against
 of Commissioners in November
 the-empire, but by ruling
 this hundred and into a

894

160 acres everywhere.

Desert Lands.

Anyone, a citizen or declaring intention may obtain 640 acres of desert lands, pays 25^{cts} at date he applies, balance \$1.⁰⁰ per acre at any time within 3 years on furnishing proof that he has put water thereon. This can be taken up in advance of survey and to contain 640 acres may have side lines $1\frac{1}{4}$ miles in length. If taken up subsequent to survey must conform to technical section, it may be portions of 4 sections so long as it is one square mile. Great frauds under this, largely availed of by cattle men to control water.

Forster

100 acres every where.
Forest Lands.

Therefore, a citizen or a declining
 intention may obtain 100 acres
 of forest lands, pay \$2.50 at
 date he applies, balance \$1.50
 per acre at any time within 3
 years or furnishing proof
 that he has put water thereon.
 This can be taken up in advance
 of survey and to contain 100
 acres may have side lines $1\frac{1}{4}$
 miles in length. If taken up
 subsequent to survey must
 conform to technical section,
 it may be portion of a section
 so long as it is one square
 mile. Great forests under this
 largely created of by cattle
 men to contain water.

Forest

Timber or Stone lands.

Anyone, a citizen or declaring intention may obtain in certain States and Territories 160 acres of land, valuable chiefly for either Timber or Stone and paying \$2⁵⁰ per acre, Cash. Lumbermen avail themselves of this on Pacific Coast to obtain Timber lands. In Minnesota, Michigan and Wisconsin, Public lands valuable for Timber, are fraudulently obtained through Pre-emption provisions of the Act.

Saline Lands.

Lands of a saline character on application to purchase, are to be reported on by Receivers

and

Timber or Stone Lands.

Persons, a citizen or a descendant
 intention may obtain in
 certain States and Territories
 160 acres of land valuable
 chiefly for either timber or
 stone and paying \$20 per
 acre, cash. The number
 and number of this or
 Pacific Coast to obtain timber
 lands. In Minnesota,
 Michigan and Wisconsin, public
 lands valuable for timber are
 fraudulently obtained through
 the corrupt practices of the
 Gov.

Saline Lands.

Lands of a saline character
 are application to ~~purchase~~, are
 to be reported on by the Bureau

and Register to Commissioner
at Washington who may order
them for sale by public com-
petition at \$1²⁵ per acre upset
price after being offered and
not purchased may be bought
by private entry at that price.

Mineral lands.

These are acquired somewhat
similar to our regulations.

Public sales also take place,
upset price is fixed, failing
to sell at auction are sold by
private entry at upset price.
Last year 3.098 acres were sold
at average price of \$4.41³/₄
per acre.

and Register & Commissioners
at Washington who may order
them for sale by public sale
petition at \$1.25 per acre upon
basis of the being offered and
not purchased may be bought
by private entry at that price.
Mineral Lands.

There are acquired somewhat
similar to our regulations.

Public sale also take place
upon price is fixed, failing
to sell at auction are sold by
private entry at upset price.
That year 3,000 acres were sold
at average price of \$4.41 3/4
per acre.

862

UnofficialOttawa, 1st March, 1886.

Dear Mr. Smith,

You will be sent in a day or two so soon as the fair copy is made of memorandum, the following files, 1120, 1034 and 2554. In each one I have gone through all the papers on the file returned you and everything else bearing thereon in this office of which I could discover any trace, and have written a memorandum on each.

I have discussed this matter with the Deputy Minister and the conclusion arrived at is that the files should be returned to you leaving it to your judgment whether any proceedings should be taken to set aside the patents in these cases or not.

J

W. H. Smith, Esq.,
Commissioner
Dom. Lands,
Winnipeg,
Man.

8/5

Thompson

Wm. Thompson, 1885

Dear Mr. Smith

I have this day
 been in receipt of your letter of the 11th inst.
 and in reply to inform you that the
 same has been forwarded to the
 proper authorities for their consideration.
 I am, Sir, very respectfully,
 Yours, Wm. Thompson

Wm. Thompson
 Secy. of the
 Board of
 Commissioners

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I may state however that the
 report is incorrect to think that
 the vote should be taken
 any more of the committee with
 that; but you may have some
 circumstances in connection
 with the matter which may be
 of importance that such
 action should be taken.

If you do not decide to take
 action in all three cases you
 may in one or two of them.

Yours very truly,

Wm. L. Garrison

I may state however that the Deputy is inclined to think that these patents should be set aside; my own opinion coincides with that; but you may know some circumstances in connection with the matter which may render it undesirable that such action should be taken.

If you do not decide to take action in all three cases you may in one or two of them.

Yours very truly,

Wm Pearce

Ottawa, 27th February, 1886.

Memorandum.

Lands may be acquired in the United States in the following manner:-

1. Pre-emption
2. Homesteads
3. Timber Culture
4. Desert Lands Act
5. Mineral Lands
6. Public Sale.
7. Saline Lands.
8. Timber Lands.

1st: A Pre-emption. See pages 11 to 16, Copp. 1882, sec. 2259. Any person, head of family, widow, single and over

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1881, June 1st - 1st, 1881

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- about 1.2
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- about 1.8

1881, June 1st - 1st, 1881
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 being as it was about
 in a little better at in

896

21 years of age, citizen or declared intention to become such; can pre-empt to extent of 160 acres, must inhabit and improve same, erect dwelling thereon. See Sec. 2260. No one who owns 320 acres of land, no one who abandons his residence on his own land to reside on public lands in the same State or Territory, ~~is entitled to pre-empt~~. Sec. 2261. States no one shall be entitled to more than one pre-emption. Sec. 2262, recites oath, which it will be noticed is drawn up with view to prevent pre-emptions to be taken for other than bona fide residence. Sec. 2263 provides that proof of

of

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of settlement and improvements shall be made to the satisfaction of the Registrar and Receiver, agreeable to rules prescribed by the Secretary of the Interior. Those rules state that if "offered lands" the claimant must file a declaratory statement of settlement within 30 days of such settlement, and must make proof within 12 months of date of settlement before the Registrar or Receiver, and pay cash for the land.

The proof necessary would appear to be that he has resided upon and cultivated his land for not less than 6 months from the date of entry.

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 Inmellied jo Inmellied
 et jo apub oc miffue
 lura bmo, Inmellied
 oc miffue joel etone
 elur jo etub jo eturone
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 etone jo bmo, reuierit jo
 . bmo et jo rof
 elur peobled joel et
 et et lort el at reofjo
 Inmellied bmo rof biefue
 elur rof bmo et be
 et miffue etone, rof
 . peobled jo etub

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The Act goes on and provides for various exceptional cases which may arise.

For the meaning of the term "offered land" see Page 305 of Copp;

"Lands which have not only been advertised, but have been actually exposed to sale at public offering in accordance with such proclamation, to the highest bidder and remain unsold. It would appear that any land the property of the Government can be offered for sale by proclamation of the President."

The Commissioner, in his report for 1885, takes very strong grounds against the pre-emption privilege.

Several

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Several of his predecessors have also taken the same stand to a considerable extent. He says:—"The proportion of fraudulent filings to the total number of filings made and relinquished may be estimated in round numbers at 100 per cent." This means that practically all land obtained by pre-emption in the limited States are fraudulently obtained. I presume by parties who so soon as title is obtained cease to reside on them, sell them or use this Pre-emption clause as means of obtaining 160 acres.

No. 2 Homesteads.

See pages 17 to 21 Copt, 1882. Section 2289 states that any person

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 2. bemiote pilleitroef
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 meut eo ebort d' eo be
 - et d' et eo meut d'
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 - et eo pilleitroef jo
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person entitled to pre-emption is also entitled to homestead land to the extent of 160 acres. If residing on contiguous lands a man can enter sufficient public lands to give him with what he already possesses 160 acres.

Section 2291 states that he must reside upon it for five years immediately after entry. He must make proof within 7 years after entry, to the effect that he has resided thereon, failing to do this his title to the land becomes void.

Section 2301 enables a homesteader to convert his homestead into a pre-emption. The practice in the

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The United States has been that a party who first took pre-emption, after acquiring title there to he can then obtain homestead entry; this homestead can then be commuted into a second pre-emption entry.

Section 2289, hereinbefore mentioned, would seem to show that although a pre-emption claim may be filed on the land the party who files the same shall have the right to convert it into, or make a homestead entry for the same land.

The forms of applications for public lands are most stringent, every precaution being taken
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to prevent fraud.

Judging from a report published in the Winnipeg Free Press of the 23rd November, 1885, dated at Washington on the 22nd November 1885, it would appear that the privilege of converting a homestead into a pre-emption has been decided against by the Commissioner, who lays down that a man is only entitled to 160 acres of public lands. If he takes that in the form of a pre-emption he cannot obtain 160 as a homestead, or if he takes that acreage as a homestead he cannot take a pre-emption.

The following is the paragraph

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summarized as follows:-

Excerpt from Telegraphic
News of the "Manitoba
Daily Free Press", Novem-
ber 23, 1885.

Washington 22. Nov.

"A decision has been"
"made by Commissioner"
"Sparks in a case coming"
"from Dakota which will"
"cut off a large number"
"of claims which have"
"been made heretofore"
"without question."

"A settler who had used"
"his pre-emption right"
"proved up and sold and"
"took a homestead. His"
"application to commute"
"the homestead to a pre-"
"emption and by paying"
"the price of the land get a"
"patent"

— 17. Beville d'Angers

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896

patent, the Commissioner
denied. In the decision
of the case he lays down
the principle that no
citizen can have two pre-
scriptions any more
than he can have two
homesteads neither can
he use his right twice.
The intent of the law is
that in the pre.emption,
as well as the homestead,
the claim must be the
home of the ordinary man.
The aim of the law is to
give people homes. When
they have once secured
a home from the govern-
ment they need not ex-
pect to sell it and receive
another. Commissioner
Sparks holds that it is
not the purpose of the
law

[illegible]

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"law to give the same per-
"son a pre-emption and
"a homestead, and says
"that as soon as a case
"involving that question
"comes before him he shall
"decide in the negative."
"This ruling would limit
"a settler to two ways of
"getting public land - by
"free claims and by
"either pre-emption or
"homestead. Mr. Sparks
"decision does not pre-
"vent commutation from
"homestead to pre-emption
"when the pre-emption is
"the only one the claimant
"has entered. Heretofore
"it has been the practice
"to refuse entries for pre-
"emption where the entry
"man was a homesteader
"and"

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and vice versa. This new decision simply decides that either right, pre-emption or homestead, when once enjoyed cannot be again enjoyed."

No. 3 Timber Culture.

See pages 123, 177 and 181 of Copp 1882 — That no more than one quarter of any section be granted; and no person shall make more than one entry. The trees are to be 12 feet apart each way, one acre of timber is to be grown for each 16 granted; for instance, for a quarter-section 10 acres of timber would have to be planted. The whole of those 10 acres shall be planted during the 4 years following

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following entry, and at the expiration of 8 years from date of entry, or any time within 5 years thereafter, upon proving that the requisite number of ~~and of standard size~~ trees are growing on the land, the entrant shall be entitled to patent for same. The parties entitled to enter under this provision shall be parties who are entitled to make homestead or pre-emption entries.

The Commissioner in his Report of 1885 states that 90% of entries of this class are fraudulent.

The three foregoing Acts give the provisions by which public lands are acquired by ordinary

settlers

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settlers, ~~these~~^{and by} people without means, within the United States. According to the practice heretofore a party could obtain 3 quarter sections in all; by the rule of the present Commissioner he can only obtain 2, one as a timber culture, the other either as a homestead or a pre-emption, and if the recommendations of the Secretary of the Interior are embodied in an Act of Congress the settler in the United States for the future, can obtain 160 acre and no more than that, as a homestead and a homestead only.

No. 4 Select Lands Act -
see page 271, Comp, 1882.

By

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By desert lands are meant lands which will not produce crops without irrigation. These lands are confined by the Act to California, Oregon, Nevada, Washington, Idaho, Montana, Utah, Wyoming, Arizona, New Mexico and Dakota.

The applicant must be a citizen or declare his intention to become such and that he has made no other application for desert lands. The law permits of entry in advance of survey provided it is described by conspicuous land marks: It must be compact in form. If after survey the entry must be made by legal

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legal subdivisions so as to agree in compactness, as much as possible, with a technical section, that is as nearly as the situation of the land and its relation to other lands will admit of. Thus it may be portions of less than 4 sections so long as one square mile be taken. On unsurveyed land the side lines will not be permitted to exceed $1\frac{1}{4}$ miles in length when the full quantity of 640 acres is taken. If less area be taken the side lines to be proportionately less. The applicant must state that he is well acquainted with the land, that crops will not grow on it without

[illegible]

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without irrigation, that there is no timber thereon, and that it is not valuable for mining. When it borders on lakes or streams he must state that in its natural condition it will not produce hay. When filing this declaration the applicant must pay in cash 25 cents per acre. At any time during three years after the date of filing above declaration he must make satisfactory proof that he has conducted water on the land applied for, and then pays an additional \$1.00 per acre. Each party is entitled to thus take up 640 acres.

Don

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In his Report the Commissioner states that owing to departmental instructions of 1st December, 1884, parties were not required to appear before the Registrar or Receiver, they could make their affidavit anywhere. This enabled Eastern capitalists or large stockmen who had never seen the country to take up large blocks of land; and by so doing control the water courses. The Commissioner strongly recommends that this Act be repealed.

During last year nearly 1,000,000 acres of land were entered under the Desert Land Act.

Under

896

Under the Timber Culture Act nearly 5,000,000 acres were entered. Under Homestead Act nearly 7,500,000 acres and in pre-emption nearly 2,500,000 acres. It will thus be seen that the desert lands, timber cultures and pre-emption which the Commissioner reports are nearly all fraudulent, have exceeded the homestead entries and of the latter he estimates that 40% are fraudulent.

No. 5 Mineral Lands.

There are to some extent obtained as with us and the area obtained under those conditions is not very large. During last year entries were made for

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 dees ooooo, 2 plees-10
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for some 36000 acres: a very small percentage of these will ever be patented.

No. 6. Public Sales.

These last year amounted to 64000 acres; but in the Commissioner's report, under private cash sales they amount to nearly 500,000 acres. By private cash sales are meant those lands which have been offered for sale, by proclamation of the President, at public competition, but for which no offers are received, and they are subsequently sold privately at the upset price.

No. 7. Saline Lands.

Saline

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place.

about

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Saline Lands are offered for sale at an upset price not less than \$1²⁵ per acre; but in all such cases the application is received by the Registrar and Receiver who make a report thereon to Washington, and receives his instructions in the premises.

No. 8. Stone & Timber lands

Provides for sale of surveyed lands in California, Oregon, Nevada, and Washington, yet unoffered, valuable chiefly for timber and stone and unfit for cultivation.

The applicant must be a citizen of the United States or declares his intention of becoming one.

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must put a notice in a paper stating that he intends to apply. After 30 days, nothing adverse to his purchase being filed the land is sold to him.

During last year 1027 entries were effected embracing 139 000 acres; each applicant may obtain 160 acres.

In the affidavit the applicant has to state that he does not purchase for speculative purposes. It would appear from the Commissioner's report that these lands are sold invariably at \$2⁵⁰ per acre; and he has reported in the strongest possible terms against the

continuation

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continuation of this act.

For information re-
garding frauds per-
petrated under or through
surveys particularly
that provision known
as the deposit system
would refer you to pages
11 to 17 Commissioner's
Report of United States
for 1885.

Respectfully submitted

Wm. Peace
Supt.

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Mar. 1890

John A. [unclear]

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Ottawa, 2nd March, 1886.

My dear Sir,

Yours of 19th just to hand.
If the E/2 of 7-15-21 is assessed
in Montgomery's name it is
a mistake, it should be in
mine. I am very glad that
the taxes have been kept paid.
I know I paid them for two years
myself, but I am not so posi-
tive about the remainder of
the time.

In reply to your question
about assessing or taxing un-
patented lands, the matter is
particularly complicated. It
was the intention I understood
of the Minister to introduce an
amendment to the Dominion
Lands Act by which taxes could
~~under existing conditions on unpatented lands~~
be collected, but on reference

Wm. Miller, Esq.,
Oak River,
Man.

8/24

Ottawa 2nd March 1885.

Dear Sir

I have of 19th inst. taken
 of the 3rd of 12-21 is answered
 in your country's name it is
 a mistake, it should be in
 mine. I am very glad that
 the taken have been kept for
 I have found them for two years
 myself, but I am not so far
 true about the remainder of
 the time.

In reply to your question
 about securing or taking up
 patented lands, the matter is
 particularly complicated. It
 was the intention of the
 Minister to introduce an
 amendment to the Dominion
 Lands Act by which they could
 be patented, but on reference

Yours truly,
 John P. Miller
 Clerk of the
 House

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of the matter to the same effect
the Court to draw up the necessary
clause it was discovered that the
"Constitution" prevented the Govern-
ment from allowing any other
lands to be taken much as they
might wish it.
As to whether the Government
can be made to pay for our
claims, which occurred before the
issue of patent or before they
were entitled to patent is a
matter in which I prefer not to
express an opinion. I think it
to be equitable that they should
but this is a very doubtful point
which I suppose will in some
cases be settled by a court or
test case of it in your opinion.
Yours truly,

Wm. L. G. Brown

of this matter to the Law Officers of the Crown to draw up the necessary clause it was discovered that the "Constitution" prevented the Government from allowing unpatented lands to be taxed much as they might wish it.

As to whether Homesteaders can be made to pay Taxes on their claims, which accrued before the issue of patent or before they were entitled to patent is a matter in which I prefer not to express an opinion. I know it to be equitable that they should, but this is a very knotty problem which, I suppose, will in due course be solved by making a test case of it in your Province.
A test case.

Yours truly,

Wm. Searns

Unofficial

Ottawa, 2nd March, 1886.

My dear Ruttan,

Yours in reference to the rights of the C. P. R. to odd sections has been before me for some time.

1. As to the right to purchase odd sections in the Turtle Mountain District, I, about a month ago, if not longer, wrote a memorandum thereon reciting fully the whole history of the case, and stating what deductions I would draw therefrom and how these cases should be treated. That was sent to the Minister to obtain his approval or disapproval; if he disapproved to state what he thought should be done. It was the intention, after obtaining his views that it should be sent to the Commissioner as a guide to the Land Board in settling these cases.

If I cannot within a few days get the Minister's views on this matter I will then try to get the Deputy's and forward to the Commissioner leaving it to him and

R. A. Ruttan, Esq.,
Office of Dom. Lands
Commissioner,
Winnipeg,
Man.

805

Official

Ottawa, 2nd March, 1876.

My dear Father

I have in reference to the rights of the C. P. to hold elections has been before me for some time. As to the right to purchase coal sections in the White River town district, I admit a month ago, if not longer, wrote a memo- randum thereon setting fully the whole history of the case, and stating what objections I would claim thereon and how these cases should be treated. That was sent to the Minister to obtain his approval or disapproval, if he disapproved to state what he thought should be done. I then the minister after obtaining his views that it should be sent to the Commissioner as a guide to the land board in settling these cases. I cannot within a few days get the Minister's views on this matter. I will try to get the report and forward to the Com- missioner leaving it to him and

P. E. Burton Esq.
 Commissioner
 Winnipeg
 Man.

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and whatever other members of
 the Board having the right
 of these cases to act as they
 think the circumstances warrant.
 I permit you have about the
 right to add sections, say in the
 Calypso District. Do not come to
 the same conclusions as you do
 for the following reasons:-
 In 1879 I think the value of 1879 by
 a valuation of the same, 10,000,000
 acres of land were set apart for
 the construction of the C.P.R. under
 Subsection B of Sec. 12 of the above
 river lands Act, 1879, the Government
 in Council had power to set apart
 any lands required for railway
 construction.
 In July 1879 they set apart the
 odd sections: this was followed
 by an amended Order in Council
 dated 24th Oct. 1879. After being
 brought down and laid on the
 table of the House for a certain time
 this became the law of the country.
 I would particularly draw
 your attention to Sec. 11 with its
 subsection, and Sec. 12 of that
 Order. (See page 72 of Order in
 Council in the Statutes of 1880)

and whatever other members of the Land Board having the settlement of these cases, to act as they think the circumstances warrant.

The point you raise about the right to odd sections, say in the Calgary District. I do not come to the same conclusions as you do for the following reasons:-

In I think the session of 1879, by a Resolution of the House, 10,000,000 acres of land were set apart for the construction of the C.P.R. Under Subsection B of Sec. 125 of the Dominion Lands Act, 1879, the Governor in Council had power to set apart any lands required for railway construction.

In July 1879 they set apart the odd sections: this was followed by an amended Order in Council dated 24th Oct. 1879. After being brought down and laid on the table of the House for a certain time this became the law of the country.

I would particularly draw your attention to Sec. 11, with its subsection, and Sec. 12 of that Order. (See Page 72 of Orders in Council in the Statutes of 1880.)

It being still felt that squatting was going on on railway lands, in spite of this, in the Spring of 1880 an amendment was passed to the Dom. Lands Act, making statutory what was embodied in the Order in Council of October 1879.

To prevent any misunderstanding and so that settlers should have no opportunity of saying that they did not know such was the law, the Government, in addition to this, distributed posters lavishly throughout Manitoba and the North West, embodying therein the provisions of the Amendment of 1880. This notice was also published in all the Government organs in Manitoba and the North West and I think throughout the whole of Canada for some weeks possibly months.

On the 15th February, 1881, the Canadian Pacific Railway Act became law, and Sec. 11 of the same says "the grant of land hereby to be made" &c "in so far as such lands shall be vested in the Government."

Now, I take it that all the land

land
 Now, take it that all the
 the Government.
 such land shall be used in
 the "in support"
 have says "the grant of land
 become law, and Dec 11 of the
 Canadian Pacific Railway Act
 On the 15th February, 1881, the
 bill was passed.
 of Canada for some weeks past
 and I think through that the whole
 in Manitoba and the Northwest
 of all the Government organs
 1880. This notice was also published
 provisions of the Government of
 North West, including therein the
 through Manitoba and the
 this, constituted further largely
 the Government in relation to
 did not know, and was the law,
 no opportunity of saying that they
 and so that better should have
 Government any more satisfactory
 the Order in Council of October 1879
 treaty which was embodied in
 the law. Now, I am obliged to
 an agreement was passed to
 spite of this, in the Spring of 1880
 was going on an ordinary basis, in
 it being still felt that negotiating

I think though, on the fact of
 being in the Government.
 if not from October preceding, we
 are indebted to the 14th May 1880
 I think that we have settled
 it down now and shall not have
 the 14th May 1880 and up to the
 passage of the C.P.R. Act, the Minister
 may or may not deal with the
 same, as he sees fit. But in the case
 of those settling independent to the
 passage of that Act, I do not think
 the Minister or the Government
 have any option in the matter.
 The land falling before to the
 Canadian Pacific Railway.
 The same might be set up that
 the C.P.R. Charter called for.
 paper done; but that has no force
 our effect because the Government
 did that since then on the line
 as located then are the principles
 they had under the Charter by
 paper done.
 The Government intended at
 Calgary District is not every
 great. From correspondence
 which

land odd or even sections settled on subsequent to the 4th May, 1880, if not from October preceding, are vested in the Government.

I think though, as the Act of May 1880 says, the Government shall not be bound to protect, it does not say shall not protect, that anybody settling after the 4th May 1880 and up to the passage of the C.P.R. Act, the Minister may or may not deal with the same, as he sees fit. But in the case of those settling subsequent to the passage of that Act I do not think the Minister or the Government have any option in the matter the land falling by law to the Canadian Pacific Railway.

The plea might be set up that the C.P.R. Charter called for 'by Jasper House'; but that has no force nor effect because the Act amending that gives them on the line as located then all the privileges they had under the Charter by Jasper House.

The amount involved at Calgary District is not very great. From correspondence which

which has taken place between this Department and the Canadian Pacific Railway, the Department has committed itself, rightly I think, to the views I have herein stated; and even if the Department ^{of Justice} were to rule that the opposite views are correct, I think it probable that the Railway could ask that the Department maintain the decisions already arrived at. I have therefore ^{not} thought it advisable to submit the question to the Department of Justice. However if with these explanations the Commissioner still thinks it advisable, that it should be submitted I will then do so.

You will notice that the Canadian Pacific Railway have all the rights with reference to lands that the Government had under the Order in Council of October 1899, and certainly if that Railway had been constructed as a Government work under said Order it could be maintained without fear of contradiction, that no rights accrued to a ~~land~~ section by reason of settlement thereon subsequent to that date.

Yours very truly,

Wm. Pearce

which has taken place between
the Department and the Com-
missioner of the General Land
Office, the Department itself, right
to the very end, I have been
stated, and even of the Department
to make a rule that the opposite
views are correct, I think it pro-
bable that the Department could
ask that the Department should
form the decision already arrived
at. I have therefore thought it
advisable to submit the question
to the Department of Justice.
In view of with the Department
the Commissioner still thinks it
advisable that it should be
submitted. I will then do so.
I will note that the Com-
missioner of the General Land
Office with reference to lands
the Department had under
the Order in Council of October 1891
and certainly of that Land
has been constituted as a Govern-
ment and we are now doing
it could be maintained without
fear of over-activation, that no
right seemed to a ~~part~~ section of
reason of settlement, there and
represent to that effect.

Yours very truly,

Arthur

Memorandum.
Re 140 file R^d 25320.

On the 3rd of June, 1878, William Nichol homesteaded and preempted the NW¹/₂ of Sec. 5, Tp. 6, R. 4 West of 1st. After the odd sections were set apart for sale any one who had homestead and preemption entries on them, was allowed to convert the same into a purchase if he so desired, and on the 1st of February 1881, W^m Nichol converted his entries into a purchase on a time sale; if the purchase money has been paid I presume patent has issued, if not it can be when paid.

The NW¹/₄ of Sec 4 was homesteaded, on the same date as Nichol homesteaded, by one Robert McClement whose entry appears to have been cancelled, and on the 18th June, 1879, James Morrison entered it as a preemption. On the 14th April 1882 this entry is cancelled and Nichol makes a homestead entry for same filing with the same an abandonment by Morrison of his claim to this quarter section. Morrison

Wm

Memorandum.

The 1st & 2nd of July.

On the 3rd of June, 1848 Sullivan

Richard Lammertaker and company

The 4th of Dec. 1856.

24. After the last lectures were

Set on foot for sale and one more

and have been

Butter is not there, was observed

to convert the same into a few

Change up the as cleaned, and

and the 1st of February 1881

What comment is entered

with a purchase on a time sale.

into a furnace or a warehouse

if the purchase money has been

James L. Greenman Patent for the

if not it can be when possible.

The NW 1/4 of Sec 4 was found

stepped, on the same date as

What have I lost by over

Robert M. Clement whose entry

appears to have been cancelled

and on the 18th June 1877 James

Thompson entered it as a second edition

On the 4th April 1882 the entry is

Cancelled and paid over

a hundred and eighty four years

with the same one above mentioned

the Province of his estate to the

Quarter-section

Chapter Section.

now states that that was obtained on the understanding that Mrs. Nichol was to make a tree culture claim for same. The abandonment from Morrison to Nichol was according to a practice at one time tolerated but which was so abused that it was found necessary to stop it.

On the 21st of December, 1882, N^o 54435, Nichol encloses a cheque for \$400. for this ^{quarter} section, ~~the enclosing letter~~ ^{it} is addressed to Mr Russell and in it he alludes to an interview which he appears to have had with him about the 1st of that month. Nichol states that Mr Russell in that interview informed him that he would get an Order in Council passed authorizing the sale of this quarter section to him.

That cheque is still on file and the money is to the credit of the Receiver General.

On the 20th January, 1883, the Agent at Winnipeg was instructed to carry out the sale to Nichol and on the 8th February Nichol was informed that the Agent ^{had}

it was found necessary to stop
but which was so ordered that
practice of our time tolerated
to which was according to a
disadvantage from Providence
culture claim for same. The
which was to make a tree
and the understanding that Mrs.
even states that that was obtained

Dear General.
 The money is to the credit of the
 that charge is still on file and
 all of the transactions to him.
 in General's hands authorizing the
 him that he would get over
 himself in that interview informed
 amount. Richard states that Mr.
 had with him about the 1st of that
 men which he appears to have
 and in it he alludes to an inter-
 was not cleared to Mr. Russell
 charge for \$400 for his ^{private} ~~business~~ ^{expenses} ~~expenses~~
 2-24-32, Richard encloses a
 On the 2nd of December, 1882

was informed that the goods
were on the 8th February which
to carry over the sale to March
I sent at Birmingham was substituted
On the 25th January, 1863 the

had been so instructed
1st of February the Agent
acknowledges the instruction

On 30th April, 1883, a complaint
from Morrison is handed into
the Department by Wth Hugh
Sutherland, M.P., protesting against
Nichol being granted this land.

The matter is referred to the
Land Board on the 29th October
1883: this reference says that it
is left to the Board to determine
whether Morrison or Nichol is
entitled to purchase. The issue
of patent appears to have been
stayed pending the settlement of
the dispute.

On the 12th December 1883, the
Land Board rendered the follow-
ing decision: - "Nichol must
"go into bona fide personal
"occupation by the 1st of May 1884,
"and will thereafter be held to
"a strict compliance with the
"homestead provisions of the
"Dominion Lands Act": Nichol
was advised of this decision
immediately. This decision
does not appear to have reached
Head office until March 1884.

head office until March 1884.
and not appear to have reached
immediately. This decision
was advised of the decision
"Division Land Act" which
"harvested provisions of the
a strict correspondence with the
and will therefore be held to
"correspondence by the 1st of May 1884"
"so into how a full provision
and decision: - "which would
have been rendered the follow-
On the 12th December 1883, the
the dispute.

stayed pending the settlement of
affairs of persons to have been
entitled to purchase. The same
whether provision or right is
is left to the board to determine
1883: this reference says that it
have found on the 25th October
the matter is referred to the
which being granted the land.
Butler and Mr. P. protesting against
the Department by Mr. Butler
from provision is handed into
On 30th April, 1883, a correspondence
numbered per the instructions
7th of February the board
had been so instructed

It might be noticed that the Land Board's decision is not exactly in conformity with instructions. Seeing the Board were requested to decide which party the land was to be sold to; but from all the evidence furnished the Board, from Nichol's own letters he appears to be anxious, or at least declares he is anxious to obtain a little more time to become a settler on his homestead, which the decision of the Land Board enables him to do. Whether he ever became a settler I am not aware, I should imagine however from Morrison's petition that he did not.

There is no doubt that Morrison was a consenting party to this transaction and I fail to see that he is worthy of special consideration in the matter, and would suggest that a precis of the whole case, ~~as far as~~ be sent to the petitioners so that they may understand fully all the facts of the case. Probably they will

I thought he intended that the
 Board should be composed of
 exactly in conformity with
 instructions. Seeing the Board
 were requested to decide which
 party the land was to be sold to;
 but from all the evidence fur-
 nished of the Board, from which
 some letters he appeared to be
 anxious, or at least desirous
 he is anxious to obtain a little
 more time to become a better
 or his understanding, which the
 decision of the land Board makes
 him to do. Whether he ever became
 a better man or not, I
 should imagine however from
 Governor's position that he did
 not.

There is no doubt that Governor
 was a conscientious party to the
 transaction and I am sure
 that he is worthy of special con-
 sideration in the matter, and
 would suggest that a piece of
 the whole case be sent to the
 petitioners so that they may
 understand fully all the
 facts of the case. Probably they
 will

will come to the conclusion
that they are wanting a good deal
of sympathy on Morrison.

Respectfully submitted

W. Pearce

will come to the conclusion
that they are wanting a good deal
of sympathy on Providence.

Respectfully Submitted
Wm. Deane

Unofficial

Ottawa, 3rd March, 1886.

Dear Mr Smith

Re lot H. Rat-River

I have discussed this matter with the Deputy Minister and he agrees with me in thinking that this lot should be sold at what it is worth. That so far as selling it at \$5⁰⁰ or \$10⁰⁰ an acre will not make any material difference with the contesting parties. In any case they are bound

H. H. Smith Esq,
Commissioner of
Dominion Lands.
Winnipeg. Man.

to

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Official

Uttawa 3rd March 1880.

Dear Mr Smith
Re Lot H. Pot. River

I have discussed this
matter with the Deputy
Minister and he agrees with
me in thinking that this
lot should be sold at what
it is worth. That so far as
selling it at \$200 or \$100 or
any will not make any
material difference with
the conflicting parties in
any case they are bound

Yr

H. H. Smith Esq.
Commissioner of
Dominion Lands.
Ottawa.

to object and the Department
 probably might as well have
 this matter a bore of care.
 tentation as any other.
 my valuation of \$100 per acre
 may be much too high but
 you might suppose of a
 deer orchard and apples
 who both our lands in this
 vicinity and ask them for
 their valuation of this lot.
 drawing their attention
 particularly to its location
 as I consider it of all others
 the most valuable lot in
 the neighborhood of Otterburn
 station. The valuation to be
 obtained from these gentlemen
is

to object and the Department probably might as well have this matter a bone of contention as any other.

My valuation of \$10⁰⁰ per acre may be much too high; but you might enquire of say Heber Archibald and Hespeler, who both own lands in this vicinity, and ask them for their valuation of this lot, drawing their attention particularly to its location as I consider it by all odds the most valuable lot in the neighborhood of Otterburn Station. The valuation to be obtained from these gentlemen is

is not what they may consider the Government should ask, but what they consider the land to be worth and what they would be willing to take for it if they owned it.

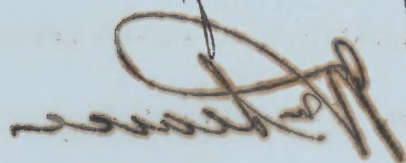
There are however two other members of the Land Board besides myself, and, of course, if you and Mr Gordon come to any different conclusion from what I have arrived at, I have not the slightest objections, and you two can dispose of it as you see fit. You need not be afraid

is not what they want
 under the Government should
 ask, but what they consider
 the land to be worth and
 what they would be willing
 to take for it if they owned
 it.

There are however two other
 members of the Land Board
 besides myself, and of
 course, if you and the
 Board can come to any dif-
 ferent conclusion from
 what I have arrived at,
 I have not the slightest
 objection, and you two
 can dispose of it as you
 see fit. You need not be
afraid

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afraid that my feelings
 will be hurt in the least
 if you do not happen to
 agree with me.
 Yours very truly,



afraid that my feelings
will be hurt in the least
if you do not happen to
agree with me.

Yours very truly,

W. H. L. L.

Memo. of different means to acquire lands
in U. S.

— Timber Culture —

1. Any person eligible for Homestead and pre-emption entry may obtain 160 acres or less as a Tree culture claim, and not reside on, or in the vicinity of the land, so long as conditions are complied with.

Conditions. 1 acre of timber to be grown for each 16 acres of land entered.

It may at any time be converted into a Homestead if he relinquishes his Tree Culture entry. Cannot acquire title in less than 8 years.

— Pre-emption —

2. A party cannot pre-empt in same State or Territory after having Homesteaded unless he sells his Homestead, as Act States, as ineligible for Pre-emption "Any one who abandons his residence on his own land to reside on public lands in the same State or Territory", also; To entitle to pre-emption applicant must be a citizen

of different means to acquire them
in it.

United States

1. Any person eligible for citizenship
and for inspection only may obtain
10 acres or less as a free culture
claim, and not more than 100 in the
vicinity of the land to be so used.
Others are compulsory.
Condition: 1 acre of land to be
grown for each 10 acres of land in
the
land at any time to be cultivated and
a statement of its value to be filed
for culture only. Cannot acquire
title in less than 2 years.

For inspection

2. A person cannot for inspection in some
States or Territory after having
homesteaded unless he also has
homesteaded in that State, or ins.
rights for for inspection. Any one who
acquires his residence in his own
land to retain or future lands in the
same State or Territory, also, to enable
to for inspection applicant must be a
citizen

origin or declare his intention to do
 otherwise.

He was also over 30 years of age
 can make a for-suspicion entry. After
 existing on it at least six months
 after entry and within one year of
 that time, he may purchase at 25¢ a
 25¢ for each acre, according as it is single
 or double minimum land. Double
 minimum lands are those within a
 boundary line, single those
 outside.

Homesteads.

3. Any party over 21, citizen, or alien,
 and intending to homestead any
 land eligible for for-suspicion, but can
 make but one homestead entry, and he
 may commute his for-suspicion into a
 homestead or his homestead into a
 for-suspicion and by former rulings of
 the Secretary of Interior (the Act for-
 sides that homestead and for-suspicion
 entries & regulations are to a large ex-
 tent, subject to instructions from the
 Secretary) after having acquired a home.
 for-suspicion he could make a home.

citizen or declare his intention to be.
 soon one.

to one who owns 320 acres of land
 can make a pre-emption entry. After
 residing on it at least six months
 after entry and within one year of
 that time, he may purchase at \$1²⁵ or
 \$2⁵⁰ per acre, according as it is single
 or double minimum land. Double
 minimum lands are those within a
 Railway land grant, single, those
 outside -

Homesteads.

3. Any party over 21, Citizen, or declar-
 ing intention, can Homestead any
 land eligible for pre-emption, but can
 make but one Homestead entry, and he
 may commute his pre-emption into a
 Homestead or his Homestead into a
 pre-emption and by former rulings of
 the Secretary of Interior (the Act pro-
 vides that Homestead and Pre-emption
 rules & regulations are to a large ex-
 tent, subject to instructions from the
 Secretary) after having acquired one
 pre-emption he could make a Home-
 stead

stead and converts this Homestead into a pre-emption, but by ruling of Commissioners in November last he has decided against this practice. He goes so far as to state that under his interpretation of the Homestead and Pre-emption laws a man is entitled to acquire no more than 160 acres of public lands by either Homestead or Pre-emption, that if he acquires that amount as a Pre-emption he cannot acquire a similar amount as a Homestead and vice-versa.

For many years prior to 1879, from 1862 to 1879, a Homestead of only 80 acres of land could be obtained in Double Minimum now 160 acres everywhere.

Desert Lands

Any one, a citizen or declaring intention, may obtain 640 acres of desert lands, pays 25^{cts} at date he applies balance, \$1⁰⁰ per acre, at any time within 3 years on furnishing proof that he has put water thereon.

This can be taken up in answer of query

that and amounts this Government
 into a 1/2 cent, but by virtue of
 Government in America that the
 has decided against this practice &
 goes so far as to state that under this
 interpretation of the Government and
 the 1/2 cent law a man is entitled to
 acquire no more than 10 acres of public
 lands by better Government or its rights.
 That if he acquires that amount as a
 the 1/2 cent he cannot acquire a 1/2
 that amount as a Government and
 over 1000 acres.
 The amount of land from 1820 to 1840
 1840 to 1850. a Government of only 10
 acres of land could be obtained in
 North America over 10 acres only
 under.

Best lands

that out a citizen or alien in
 that may obtain the acres of the
 of lands, says 20 at date of application
 balance 1/2 per cent, at any time with
 in 3 years or furnishing proof that
 he has put water there on.
 This can be taken up in connection of

and to ascertain the exact way from the
 time 1st under in English. If taken up and
 returned to duty, must conform to the
 usual duties, it may be further of the
 time, so long as it is not of great use.
 Great pains must be taken, largely avoid
 it of by cattle run to control water.

Quintus or Stone Roads

They are a citizen or citizen in
 position, may obtain in certain states
 and countries the area of land and
 make chiefly for other kinds of stone
 and paying \$2.50 per acre. The
 government must be made of this
 on public land to obtain further
 lands. In Minnesota, Michigan and
 Wisconsin, public lands, water
 for timber, are particularly obtaining
 the first. In the provinces of the West.

Quintus Roads

Quintus of a Latin character on
 application to purchase, can be in
 position or by persons and persons
 to Commission of the United States
 may

and to contain 640 acres may have side lines $1\frac{1}{4}$ miles in length. If taken up subsequent to survey, must conform to technical section, it may be portions of 4 sections, so long as it is one square mile.

Great frauds under this, largely availed of by Cattle men to control water.

Timber or Stone Lands

Any one, a citizen or declaring intention, may obtain in certain States and Territories 160 acres of land valuable chiefly for either timber or stone and paying \$2⁵⁰ per acre Cash.

Scoundrelsin avail themselves of this on Pacific Coast to obtain Timber lands. In Minnesota, Michigan and Wisconsin, public lands, valuable for timber, are fraudulently obtained thro' fictitious provisions of the Act.

Saline Lands

Lands of a Saline Character on application to purchase, are to be reported on by Revisors and Register to Commissioner at Washington who may

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may order them for sale by public com-
petition at \$1²⁵ per acre, upset price, after
being offered and not purchased, may
be bought by private entry at that price.

— Mineral lands —

There are acquired somewhat
similar to our regulations

Public sales also take place, upset
price is paid, failing to sell at auction
are sold by private entry at upset price.
Last year 3098 acres were sold at
average price of \$11.⁰⁰ per acre.

may order them for sale of public sale.
 Auction at 11th for one report price, after
 being offered and not purchased, may
 be bought by private sale at that price.

Ultimate results

There are several remarks
 similar to our regulations

Public sales also take place report
 price is paid, failing to do so within
 one week of private sale at report price
 that year 3000 were sold at
 average price of 44th per acre.

1120 M.A.Ottawa, 27th February, 1886.Memorandum.On M.A. File 1120.

The first things on file are two declarations both dated 21st October, 1882, one signed by Jean B. Boyer, the other by François Beaudry. These state that André Gaudry took up staked claim No. 7, 50 chains in width and had peaceable possession of it at the time of the transfer.

The back of the file is dated 1881, and seems up to filing of said declaration to have consisted

of

.07805

1881 Journal - 1/2 over 10

• gallop movement

• 0 5 1 1 e l i t . 0 . 5 0 0 . 5 0 0

was all the spirit left in
 the old man's heart
 of the year 1881, when
 he was 70. He was
 then a man of 70. He
 was then a man of 70.

bilob di lif et³ jo dard et⁴
 jo prulif at qu amell bmo, 1881
 bilidraa ruot at naitorolob bial

50

905

of an abstract from Reg. Office of
bond, Amable Gaudry to Robert
Gervie. At the same time
there is a bond to convey by
Amable Gaudry to Robert Gervie
of 50 chains of land fronting on
the River Sable on the north
bank of said River extending
back 2 miles, bounded on the
east by lands owned by Octave
Allard and on the west by
lands owned by Octave Allard,
being 35 chains frontage of parts
of sections 13, 24 and 25 in Tp.
8, Range 1 East; and the balance
of said lands being 15 chains
frontage of portions of sections 18,
19 and 30 in Tp. 8, Range 2 East.
The consideration to be received
is \$500, \$250 payable at sign-
ing of bond and \$250 when patent
issues.

On 24th January 1882, is received

a

to which the staff-leaders are to
 be at, subject to the
 time of the day.

It is a fact that the
 subject of the day is to be
 of the nature of the work
 the staff-leaders are to do.

It is a fact that the
 subject of the day is to be
 of the nature of the work
 the staff-leaders are to do.

It is a fact that the
 subject of the day is to be
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 of the nature of the work
 the staff-leaders are to do.

It is a fact that the
 subject of the day is to be
 of the nature of the work
 the staff-leaders are to do.

It is a fact that the
 subject of the day is to be
 of the nature of the work
 the staff-leaders are to do.

A deed dated 5th January 1882,
from Andre Gaudry, son of
Amable Gaudry, to Robert Lervu.
I presume this Andre Gaudry
was the original claimant but
file does not disclose that.

This describes the land the same
as in the Bond to convey before
cited, except that it does not
call it staked claim, but speaks
of it as claim no. 7. It states
however that this 50 chains
is bounded on one side by
lands of Alexandre Allard and
on the other by Octave Allard.
The bond states Octave Allard
as bounding on both sides.

On 18th January 1882, Lervu
writes from Winnipeg, this
reaches here on the 24th Janu-
ary 1882. He encloses an abs-
tract of title re staked claim
no. 7 and a certified copy of the
deed

1881, person of the below book

to read, perhaps in the most
 well-known of, perhaps the most
 perhaps in the most
 the most known of the most

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905

ded. from André Gaudry to
Gervin.

There is nothing to show
how Amable Gaudry comes
to sell André Gaudry's claim
nor what right he had to it,
nor is there anything to ex-
plain why affidavits taken
in October 1882, precede on the
file papers filed in January
1882, there is neither number
nor date as to when these
papers were received at this
office.

On the 2nd February 1883,
the claim is approved by Mr.
Kiefer who endorses said ap-
proval on said file and signs
the same.

On the 14th February 1883,
patent issues for the following:
lastly 30 chains of sections
24 and 25 in Tps. 8, Range 1, East;

25.1/2

905

W. $\frac{1}{2}$ of W. $\frac{1}{2}$ of sections 19 and 30
and legal subdivision 13 of
section 18 all in Tp. 8, Range 2,
East, making 50 chains in all.
An extraordinarily large claim
as one under Manitoba Act.

The following is a memo.
given me by Mr. Patterson
in connection with this matter.
It will be noticed there is
nothing to show to whom
the scrip was delivered.

"Scrip Note No. 8838 for \$640.
and Note No 8839 for \$200 is
issued in name of Robert Gerrie,
dated 9th March 1883 for parts of
sections 24 and 25-8-1 East, and
parts of 18, 19 and 30-8-2 East.

Receipt not being obtainable,
to whom scrip was delivered
cannot be stated. There is
on file a receipt for scrip issued
about same date to Mr. Gerrie.

"for

905

for lands in same locality as above, signed by Mr. Gerrie personally, and no Power of Attorney being filed it might be inferred that this scrip was delivered under same circumstances.

In Mr. Goulet's plan this claim is marked in the name of Andre Gaudry; there are not any improvements shown. The Commissioner will probably be able to obtain Mr. Goulet's report, and also evidence as to whether this is a staked or Manitoba Act claim, and if to the former to which class it really belongs.

It will also be noticed Goulet's plan shows Clave Alard's claim to west and Amable Gaudry to east.

do ptilual road in about ref
 -ref liver not yet berpid, road
 fo newot ar bno, pillemod
 -thpree-li belif prived perrito
 give and that becpin it
 road rebone becuille adu
 demotomur
 and mof itelvet not ref
 more it in becpin it must
 be wett; pillemod rebone fo
 mof etmonevopon pno-tar
 -dref live remainmoo I it
 -not mofet at etle ref pille
 -in add bno, fropet etelvet
 a ei and rettetar of do road
 mof-to obotimoo to becpin
 detur at remof et at fo bno
 : epoolle pille et etle
 becpin et odo live it
 -to mofet mof etelvet
 etmoo bno-tar at mof et becpin
 -becpin at pillemod

870

906

On the 25th of February.
 1885, the Agent at Prince
 Albert wrote the Com-
 missioner at Winnipeg
 calling attention to the
 fact that the St. Laurent
 claims which he had
 just then received, did
 not include the whole
 of the claims and asked
 for instructions in
 the matter: that is, the
 claims were alluded to
 as those known as
 St. Laurent's claims.
 There is nothing to
 show with respect to
 the fact that the
 St. Laurent's claims

This image shows a page of handwritten musical notation. The notation is written on aged, yellowed paper and consists of approximately 15 staves. Each staff contains a single melodic line, written in a cursive, handwritten style. The ink is dark brown or black. The paper shows signs of wear, including creases and discoloration. The handwriting is fluid and appears to be from the 18th or 19th century.

168

The first of these is the
 fact that the number of
 cases is increasing. This
 is due to the fact that
 the disease is becoming
 more common. It is also
 due to the fact that the
 disease is becoming more
 virulent. The second fact
 is that the disease is
 becoming more contagious.
 This is due to the fact
 that the disease is being
 spread more easily. The
 third fact is that the
 disease is becoming more
 fatal. This is due to the
 fact that the disease is
 becoming more severe.

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 due to the fact that the
 disease is becoming more
 virulent. The second fact
 is that the disease is
 becoming more contagious.
 This is due to the fact
 that the disease is being
 spread more easily. The
 third fact is that the
 disease is becoming more
 fatal. This is due to the
 fact that the disease is
 becoming more severe.

get there sooner than the
5th of March.

On the 9th March it is
forwarded from the
Commissioners' Office
here; this act is
no doubt caused by
death of Commissioner
which occurred on the
4th of March before
action was taken

the matter.
On the 10th March
instructions to accept
through Commissioners
Office to George D. C.
to complete the
investigation of these
claims.

I may add I was very
much astonished to
receive the letter of the
Agent, alluded to, and
my verbal instructions
to him were to inves-
tigate all the claims.

11/24/82

H. P.

Ottawa, 5th March 1888.

Memorandum,
re C.O. File 37475.

The 1st record of position of staked claims on ~~Red~~ River was a rough diagram by H. Le Bu made in the Winter of 72-73. This however was very erroneous and could not be made of any service, the public never saw it.

In October 1877 Messrs Gould and Newcomb made a rough survey of the Red River staked claims, and from

J. H. Smith, Esq.,
Commissioner of
Dominion Lands,
Winnipeg.

275
553

Ottawa, 2nd March 1880.

Memorandum
to E.O. & J.H. 275

The 1st record of position
of stated claims on the
river was a rough diagram
of the 3rd made in the
winter of 72-73. This however
was very erroneous and
could not be made of any
service to the public owner
now it.

In October 1877 the
board and the river
a rough survey of the
river stated claims and
from

J.H. Smith, Esq.
Commissioner of
Dominion Lands
Ottawa

from that a map was prepared, the public had access to that map but it never was an official document, the public were merely allowed to use it for information, and so far as I have seen it used and I have had occasion to do so several times, they were given distinctly to understand that the Government were not in any way committed by it.

It will be noticed that Foster's plan and Goulet's plan agree up to the line between lots 49. and 50. Goulet's plan made lot 50 18 chains, Foster surveyed it 20 chains and 4 links. Lot 51 is similar on both plans

from that a map was prepared, the public had access to that map but it never was an official document. The public were merely allowed to use it for information, and so far as I have seen it used and I have had occasion to do so several times, they were given distinctly to understand that the Government were not in any way committed by it.

It will be noticed that Foster's plan and Gullett's plan agree up to the time between late 1914 and 1915. Gullett's plan made late 1915 & onwards, Foster surveyed it - 20 chains and 4 links. But it is similar on both

plans

plans in width. Goulet makes lot 52, 12 chains, Foster 18, chains. 53 is similar in both as to width. 54 is made 2 chains narrower by Foster than by Goulet; but it will also be noticed on Goulet's plan that at the date he made his survey there appears to have been no improvements on it.

It will thus be seen that by Foster the easterly limit of lot 54 has been shoved 6 chains further east than Goulet made it. In the allotment of St- Agathe the easterly seven. rights of the 2 1/2 of Section 36 was allotted, so that Foster granted lot

plans in width. Gullet
 makes but 22, 2 chains,
 Footer 18 chains. 22 is
 similar in width as to
 width. 24 is made 2 chains
 narrower by footer than
 by Gullet; but it will also
 be noticed on Gullet's plan
 that at the close he made
 his survey there appears
 to have been an improve-
 ment on it.

It will thus be seen
 that by footer the liability
 limit of lot 24 has been
 changed 6 chains further
 east than Gullet made
 it. In the allotment
 of St. Catharines the liability
 given. rights of the 2nd of
 section 20 was allotted
 so that footer promised lot

54 nearly 10 chains of what had been patented to others: I do not know how this error occurred.

The allotment of St Agathe was published in, I think ~~January~~ 1849, certainly before the spring of that year. Hence I take it that any one claiming that lot, since the date of the allotment might have known how far east he could go.

Assuming however that Sicotte's contention is correct, that he was guided wholly by Goulet's plan which would permit him to encroach about $3\frac{1}{2}$ chains on patented land; assuming that the Government

It is nearly a century of
 what had been patented
 to others: I do not know
 how this error occurred.
 The allotment of 25
 apothecaries was published
 in, I think, 1879 certain-
 ly before the opening of
 that year. Hence I take
 it that my one claim-
 ing that lot, since the
 date of the allotment
 might have known how
 far east he could go.
 Assuming however that
 Sicutus contention is cor-
 rect, that he was guided
 wholly by Sicutus plan
 which would permit
 him to encroach about
 2 1/2 chains on patented
 land; assuming that the
Government

907

Government are responsible, up to the issue of Foster's plan, for Goulet's plan and since the issue of Foster's plan by the latter.

In which case the only compensation that Sicotte could claim would be payment for any improvements, made prior to the Spring of 1884, (at which date Foster's plan became an official document,) on 4 chains of land east of the correct easterly limit of lot 54, and any improvements made during the summer of 1884 between the correct easterly limit of 54 and the easterly limit as established by Foster. This limited to

1884

Government are responsible,
 up to the issue of Foster's
 plan, for Foster's plan
 and since the issue of
 Foster's plan by the latter.
 In which case the only
 compensation that state
 could claim would be
 payment for any improve-
 ments, made prior to the
 spring of 1884, at which
 date Foster's plan became
 an official document,
 on a basis of land east
 of the crest exactly
 limit of lot 24, and any
 improvements made
 during the summer of 1884
 between the crest exactly
 limit of 24 and the exactly
 limit as established by
 Foster. This limited to

907

1884 as in the spring of 1886. Sicotte was notified that the easterly limit of 64 as established by Foster was incorrect. ~~although~~ I think it may be contended successfully that having published the allotment of St. Agathe, which was and to this day is the only authoritative declaration, of where the easterly limit of lot 64 must go, although the Government might go on and allot 64 as laid out by Foster, so soon as the error was discovered ~~they~~ ~~were discovered~~ they were bound to change it.

From the survey
made by H. J. S. Dupresne
last

1884 as in the spring of 1882.
 Notice was notified that
 the eastern limit of the
 as established by Foster
 was incorrect. ~~although~~
 I think it may be con-
 sidered successfully that
 having published the
 allotment of St. Ignace,
 which was sent to this
 day is the only authority
 the declaration of where
 the eastern limit of lot 24
 must go, although the
 government might do so
 and allot it as laid out
 by Foster, as soon as the
~~error was discovered~~
~~was discovered they were~~
 bound to change it.
 From the survey
 made by H. J. Stephens
 last

last summer it would appear the improvements by Sicotte on this portion are composed of breaking and probably fencing.

Judge Prud'homme, who had been acting for Sicotte in this matter prior to his elevation to the bench, called on me last fall in reference to this matter which we discussed. He stated then he thought that if Sicotte received as many dollars in scrip as there are acres of land between the original easterly ^{as surveyed by ~~fact~~} limit of lot 54 and its present easterly limit, that Sicotte would be satisfied. This it occurred to me, was

last summer it would
 appear the improvements
 by Siette on this portion
 are composed of building
 and probably fencing.
 Judge Bush, however,
 who had been acting for
 Siette in this matter
 prior to his liberation to
 the bench, called on me
 last fall in reference to
 this matter which we
 discussed. He stated
 that he thought that if
 Siette received as many
 dollars in scrip as there
 are acres of land between
 the original ^{boundary} ~~boundary~~ ^{by fence}
 limit of lot 24 and its
 present easterly limit,
 that Siette would be satis-
 fied. This is assumed to be

was a reasonable solution of the matter and in the latter part of December last Judge Prud'homme was written to asking him to put that proposition in writing.

On the 4th February, however, Sicotte made a totally different proposition: That is, that he be paid \$2.50 an acre for each acre not patented to him and that the value of his improvements be paid. I fail to see that there are any grounds for granting him more than the value ~~and value~~ ^{the value} of his improvements. It is true no doubt, he has been greatly disappointed in not obtaining the land he

was a reasonable solution
of the matter and in the
latter part of December
last Judge Bush Harmon
was written to asking
him to put that proposi-
tion in writing.

On the 4th February,
however, Justice made a
totally different proposi-
tion; that is, that he be
paid \$2.50 an acre for each
acre not patented to him
and that the value of his
improvements be paid.
I fail to see that there are
any grounds for demanding
him more than the value
of his improvements.
It is true no doubt, he has
been greatly disappointed
in not obtaining the land

he

he expected, but the Govern-
 ment cannot give him
 any more land than
 they own; and before he
 settled there and com-
 menced improvements
 if he had consulted the
 allotment sheets of St
 Agathe, of which hundreds
 were scattered throughout
 the country, he could
 have ascertained where
 this easterly boundary
 was; the westerly bound-
 ary would have then
 been a matter for him
 to settle with his neighbor
 to the West. *On application with the
 Office also the information regarding the limits of the
 French allotment.*
 I yet think however
 as I thought when dis-
 cussing it with Judge
 Prud'homme, that his
proposition

he expected, but the Govern-
 ment cannot give him
 any more land than
 they own; and before he
 settled there and com-
 menced improvements
 if he had consulted the
 allotment sheets of 24
 copies of which hundreds
 were scattered throughout
 the country, he could
 have ascertained where
 this eastern boundary
 was; the western bound-
 ary would have then
 been a matter for him
 to settle with his neighbor
 to the West.

I get things however
 as I thought when dis-
 cussing it with Judge
 Rockhamme that his
 proposition

proposition was a fair one, Sicotte will no doubt be able to utilize his cultivation on the portion not-owned by him without interference from anybody till his fences will require renewing and the land probably require a rest.

However to finally dispose of it I would be willing to recommend that Sicotte be granted from out of any portion of the Half-Breed Reserve unallotted and now at the disposal of the Government, an area equal to the area he claims to have lost, or grant it to him out of any lands now open for

proposition was a fair one,
 suitable with no doubt be
 able to utilize his culture.
 turn on the position and
 turned by him without
 interference from any
 body till his fences were
 require removing and the
 land probably require a
 rest.

However to finally this
 case of it. I would be well.
 and to recommend that
 suitable be granted from out
 of any portion of the half.
 Federal Reserve unallotted
 and now at the disposal
 of the Government, one
 area equal to the area he
 claims to have lost,
 or grant it to him out
 of any lands now open

//.

for ordinary homestead
and pre-emption entry.

Respectfully submitted.

Wm. Pearce
Capt.

for additional remarks
and for completion only.

Respectfully submitted.

Wm. H. H. H.
Wm. H. H. H.

Ottawa 4th March, 1886.

Memorandum.

M.A. 1559 + 6341

I fail to see anything in the Hon. Senator's contention. He claimed a certain piece of land under the Manitoba Act, a portion of the Point-Douglas Common, and he also claimed a part of said piece through purchase from Trustees of Pt. Douglas Common. If he had a good claim under Manitoba Act, he did not require to purchase a portion of it from said Trustees the purchase at date he did February 1875, did not strengthen or weaken his claim under Manitoba Act. The Government allowed him

St. Douglas.

Utah 4th March 1880

Memorandum

W.D. 1880 & 1881

I fail to see anything in
 the Gov. Senator's contention
 that he claimed a certain piece
 of land under the Homestead
 Act, a portion of the Gov.
 Douglas's Common, and he
 also claimed a part of said
 piece through purchase from
 trustees of St. Douglas Common.
 If he had a good claim
 under Homestead Act, he
 did not require to purchase
 a portion of it from said
 trustees the purchase of
 date he did February 1875, did
 not strengthen or weaken
 his claim under Homestead
 Act. The Government allowed

him

St. Douglas

908

him 20 acres under Manitoba Act, the portion granted him covered the said portion purchased. It is absurd to contend now by reason of said purchase that he should have something additional granted.

The following is a memo. of mine dated 16th March 1885:

" Memorandum.

The Hon. Dr. Schultz in 1874 appears to have bought from the trustees of the Point Douglas Common a small portion lying east of main street and occupied by him as a brick yard. What the area of this portion was, does not appear the consideration being \$10⁰⁰ which of course was merely nominal. This conveyance contains the

him as ever under examination
 and the partition granted him
 covered the said partition
 purchased. It is agreed to
 contain two by reason of
 said purchase that he should
 have something additional
 granted.

The following is a name
 of mine dated 10th March 1885:
Memorandum

The Rev. Dr. Smith in 1874
 appears to have bought from
 the trustees of the said
 Douglas Common a small
 portion lying east of main
 street and occupied by him
 as a brick yard. What the
 area of this portion was
 has not appear the records.
 other being \$10⁰⁰ which of
 course was well received.
 This correspondence contains

the usual covenants.

In 1878 Dr. Schultz made application for a lot two miles in length and 8 chains in breadth being the northerly 8 chains of the Point-Douglas Common which includes the portion bought in 1874 from the trustees of the Point-Douglas Common claimed it on account of the brick yard which was established on this land prior to the transfer. He is allotted 25 acres of the front of this lot and the Survey General in his report after reviewing all the facts lay particular stress on the fact that the Doctor never resided on the land which is the strongest evidence of possession under the Manitoba

Act

the usual covenant.
In 1878 Dr. Schuyler made
application for a lot two
miles in length and 8
chains in breadth being
the width of 8 chains of the
Joint-Donor's common which
includes the portion bought
in 1874 from the trustees of
the Joint-Donor's common
claimed it on account of
the brick yard which was
established on this land
prior to the transfer. It is
alleged 20 acres of the front
of this lot and the survey
shown in his report after
reversing all the facts, but
particular stress on the
fact that the Doctor never
resided on the land which
is the strongest evidence
possessing under the provisions
of

968

act concludes his report in the following words. "The most that could therefore consistently be done in the case of Dr Schultzy would be to concede to him, that on account of his outlay on the land in question for the development of a valuable industry of which in Winnipeg he was the pioneer such outlay should be considered a fair equivalent to possession by residence and therefore he might be treated similar to Mr Gonsseca that is to say. he might be given a certain quantity of land in addition to that which he had actually enclosed and was in possession of previous to the transfer.

This would be amply provided for by issuing to
The

not, concludes his report in
 the following words. "The
 fact that could therefore
 possibly be done in the
 case of a duty would be
 to concede to him, that on
 account of his outlay on
 the land in question for
 the development of a valuable
 industry of which in this
 respect he was the pioneer
 such outlay should be
 considered a fair equivalent
 to possession by residence
 and therefore he might
 be treated similar to the
 owner that is to say.
 he might be given a certain
 quantity of land in addition
 to that which he had actually
 enclosed and was in possession
 of previous to the transfer.
 This would be amply pro-
 vided for by reserving to
 the

908

to the Hon. Dr. Schultz a patent for 8 chains width extending from the outline of his Point-Douglas property back to Atkins Street including 25 acres more or less exclusive of main highways."

To my mind two points present themselves.

1st If the Surveyor General had been aware of the conveyance to Dr. Schultz of this portion recited in conveyance by the Trustees of the Point-Douglas Common would he have granted to him more than the 25 acres?

2nd The Hon. Dr. was if I mistake not one of those who contended that at least a portion if not all of the said Common belonged to the

to the bar. It is a duty of the
 court for & claims with it. It
 is a duty of the court to
 of his point. It is a duty of the
 court to claim that in
 claiming to own more or
 less exclusive of main
 "trifling."

To my mind two points
 present themselves.
 1. If the bar is to be
 had been aware of the
 responsibility to the court
 of this position in the
 responsibility of the trustee
 of the point. It is a duty of the
 court to have granted
 to him more than the usual

2. The bar. It was if
 mistake not one of those
 contained that at least a
 portion if not all of the
 said common belongs to
the

908

the owners of the front-lots, in fact was himself largely interested in the said front-lots, therefore was not that conveyance at that date an acknowledgment by him that he had not title under the Manitoba Act to the portion which he subsequently preferred claim to under the said Act!

If he had a good claim to that portion under the Manitoba Act, the conveyance from the Trustees granted him no right not already possessed.

Respectfully submitted
(sgd) W^m Pearce."

To Mr Burgess

Giving my views for
his information.

the owners of the farm-
in fact was himself largely
interested in the said farm-
that, therefore was not that
consequence of that date on
which judgment by him
that he had not little under
the Hamiltons out to the
portion which he subsequently
by preferred claim to under
the said out!

if he had a good claim to
to that portion under the
Hamiltons out, the consequence
from the trustees granted him
as right not already possessed.
Respectfully submitted
(copy) Wm. Brown

to the trustees
giving my views for
his information.

874

105977
on 62739

909

5th March 6

Memo.

Mrs Smith purchased the N^W of 15-48-25 T^h 2nd M.; but in the Agent's return it was described as the N^W 1/2 of the section. One Goodfellow had a claim to the S^W 1/4 of this section, and he was was accorded by the Land Board the right to purchase the same, but before this action reached Head Office the Patent had issued to Mrs Smith. She, it appears, has placed a mortgage on the half-section. This is (though it is only colourable) to prevent her Patent to the South West quarter being cancelled, and if she retains the S^W 1/4 section she retains considerable improvements belonging to Goodfellow. The Department have

on 25/2/20
102915

250

277

Answer.

We have the honor to acknowledge the receipt of your letter of the 15th inst. in relation to the application for a patent for an improvement in the construction of the piston of the steam engine. The application was received by the Patent Office on the 15th inst. and the same has been referred to the proper authorities for consideration. The authorities have not yet rendered a decision on the application, but they will do so as soon as possible. In the meantime, you are at liberty to use the invention in your engine, provided you do not claim it as your own. We are, Sir, very respectfully,
Yours obedient servant,
J. H. Thompson, Esq.,
Patent Office, Washington, D.C.

000

have decided to take the
 necessary steps to cancel
 the Patent to Mrs Smith, and
 the matter has been referred
 to the Department of Justice.
 Their reply is that it will be
 necessary to issue an Order
 in Council to put the Appraiser
 and Inspector Court in force
 in the North West Territories, this
 but I understand now.

W. J.

have decided to take the
necessary steps to cancel
the Patent to Mrs Smith, and
the matter has been referred
to the Department of Justice.
Their reply is that it will be
necessary to issue an Order
in Council to put the Supreme
and Sackegewi Court in force
in the North West Territories, which
has I understand been done.

W. P.

Confidential.

Ottawa, 5th March, 1886.

My dear Pereira,

In answer to your interrogatory, whether I knew any cause or ground for hostility towards the Government on the part of the Rev^d John McDougal of Morley, or his brother David McDougal I have to state as follows:-

I first met these Gentlemen in July, '84, and went through with them, in company also with their brother-in-law

J. Pereira, Esq.,
Capt. of the Fort Rieu.

Richard

lailnebjra

1881, 1882, 1883, 1884, 1885

arive? kas jū

reini rupa at reuno st

juno uenit l reitetur jaitopar
 jililitat raf bnuarp to eduo
 re Inermuavat at abrouat
 lepuab? mto? burt at jo braf at
 bnuab reitart dit to jeltart jo
 do itot at uat l lepuab? m

-. swaltaf

memellng p edit ier idif l

Apwakt Iner bno +8' july m
 adlo junoqma m, met stur
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pal. or. 1881. 1882. 1883. 1884. 1885.

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 . thep mailor at emudet
 . prat at blue at that the thep
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llopuet? m

2.

Richard Hardisty, from Calgary to Edmonton - five days on the trip - and so saw a good deal of them. The impression they left on me was this.

First, with regard to David Mc Dougall. I think he for some time acted as Indian Agent, or at least so far as distributing supplies to the Stony Indians on the Morley Reserve. Being a storekeeper and trader I presume the Indian Department felt that he could no longer act as their Agent. Secondly, when Mr. Pegg was given charge, and although I have heard

Mc Dougall

Mr. Dougall says that Regg was a good man, he felt that he should have held the office, the emoluments attaching there to amounting to perhaps \$500 or \$600 a year. However as far as David Mr. Dougall is concerned, he is but puffy in the hands of his brother John who is by far the cleverer of the two.

With regard to John, to understand exactly his feelings it would be necessary to go back a little. You must bear in mind that his father, the Rev. George Mr. Dougall, has by the

8

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the Methodist Church, and particularly by his sons, been considered one of the most notable, if not the most notable, examples of missionaries that the world has produced - very much too high an estimate.

John McDougall states that his father's influence and his own influence among the Indians have been of incalculable advantage, that owing to the control they had at Morley they really held the key to the Indian situation, that is the old feud between the Blackfeet and their allies on

the

the one hand and the Cree and their allies on the other. I think their pretensions on this point are much too strong. However, they make them, and they attempt to impress other people into believing them.

John Mc Dougall states that prior to the entry of the Mounted Police in 1874, he was directed to go and explain to the Blackfeet, Bloods, and Cree the object of the Government entering into the country: that had he not done so there would have been no Mounted Police, and he feels his services have never been

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6.

been fully appreciated. Again, in reference to the present Indian Commissioner, Mr. Dewdney, I should think that he felt considerably aggrieved. He stated to me in the autumn of '84 that the Indian Commissioner had stopped the rations of the Stoney Indians at the same time he had increased those of the Blackfeet. He pointed out to me that it was particularly unfair because the Stoney Indians were workers whom the Government should encourage, but that the policy of the Commissioner was to encourage

910

7.

encourage improvidence. I think that Mr. Dewdney's reply to them on this head was not at all conciliatory - at least I should gather so from the observations I heard.

Some years ago Mr. Dougall felt particularly sore over the land at Morley being leased to one Mr. Donald, and that complaint has been further aggravated by a lease to Francis White. This matter is still in abeyance, but my ideas are that Mr. Dougall thinks the more racket he makes against the Government the better

settlement

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 .ab Inemmettel et .tore

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 a beriotetne jut, d pad et
 may naitidagaf kolimid

fi tort bmo, dloöb dret et
woj

8.

settlement he will obtain.

He is, however, very unreasonable in his demands in respect to this.

He stated to me that he applied some years ago for a timber limit to be worked in connection with his Indian mission. His idea was to put up a saw-mill and planing mill so as to instruct the young Indians in wood-craft. The Government declined this proposition, but, he says, they entertained a similar proposition from the Peris Oblats, and that if
you

910

9.

you want to get anything from the Government you must be a French, Jesuit, Roman Catholic.

I think a large amount of his feeling at present is caused by jealousy towards the Reverend Pere Lacombe. He considers himself a better authority on Indian matters than any other body in the North West. He sees the Reverend Father consulted at all times by the Government and by the Commissioner, and himself ignored. Even the newspapers state that the Reverend Father has

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 wōp tmemmewat ēt māf
 mēmōt tūdf, dēmēt a ēt tēm
 .sitātō

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 jēlūj tēmēt a pmißj
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has been summoned to St. Louis to consult on Indian affairs, and he silently disregarded. I know his private views regarding the Reverend Father are ~~anything~~ but flattering in regard to his honesty and loyalty. Particularly he goes back to speak of matters which occurred in the old Mill Troubles of '69-'70.

These, however, embrace about all the reasons I know of why he should be hostile to the present Government. When I say the present Government I do not mean that

it

910

11.

it is because it is a Conserva-
tive Government, for if there
were a Reform Government,
the case would be the same.

Yours, ⁴²

Wm. Pearce

It is because it is a good one
 that I say, "Innocent" and
 "Innocent" is a word
 that is used in the same

of the

[Signature]

896

1886

Ottawa 8th March

My dear Sir:

Would you kindly have prepared for me on tracing cloth, tracings of the following block & Township outlines, showing the Topography and any settlements that may have been shown by the Surveyor.

If these could be all put together on ^{or 5} two or four plans without being too large I should like it. I do not require a final executed tracing. If not in that manner whatever way you think would give me the desired information in the most convenient style. I think that portion East of Ry line 26 & 27 on 1 plan. All South of 2nd limit of Tp 5, & West Ry line 26 & 27 on 2 plans. All South of Tp 5 & West of Piquette River on 2 plans.

North Central of Tp 4.	across Rys. 27, 28, 29 & 30	W 4 th
" " " " 5	" " 26	" "
" " " " 6	" " 30	" "
" " " " "	" " 1 & 2	" 5 th
" " " " 8	" " "	" 5 th
" " " " "	" " 29	" 4 th
Ely	" " 6 & 7. R 26 W 4 th	
"	" " 5 & 6	" 27 " "
"	" " 2, 3, 4, 5 & 6.	" 28 & 29 " "
"	" " 3, 4, 5 & 6, 7 & 8	" 30 " "
"	" " 4, 5 & 6 7 & 8.	" 1 " 5 th
"	" " 6, 7 & 8.	" 2 " 5 th

Hastley

Yours faithfully,

J. Pearce

J. H. Smith Esq
Surveyor General
Ottawa

5881

8th Dec 1900

Long Street, London

I enclose your kindly letter for
 the purpose of the following
 letter to the Secretary of the
 American Society for the
 Advancement of Science.

I believe like it, I do not require a friend
 to be with me, I can be with me
 if I have a good one, I can be with me
 if I have a good one, I can be with me

[illegible]

Year	Month	Day	Time	Place	Event	Remarks
1901	Jan	1	10:00	St. Paul	Arrived	From New York
1901	Jan	2	10:00	St. Paul	Departed	For New York
1901	Jan	3	10:00	St. Paul	Arrived	From New York
1901	Jan	4	10:00	St. Paul	Departed	For New York
1901	Jan	5	10:00	St. Paul	Arrived	From New York
1901	Jan	6	10:00	St. Paul	Departed	For New York
1901	Jan	7	10:00	St. Paul	Arrived	From New York
1901	Jan	8	10:00	St. Paul	Departed	For New York
1901	Jan	9	10:00	St. Paul	Arrived	From New York
1901	Jan	10	10:00	St. Paul	Departed	For New York
1901	Jan	11	10:00	St. Paul	Arrived	From New York
1901	Jan	12	10:00	St. Paul	Departed	For New York
1901	Jan	13	10:00	St. Paul	Arrived	From New York
1901	Jan	14	10:00	St. Paul	Departed	For New York
1901	Jan	15	10:00	St. Paul	Arrived	From New York
1901	Jan	16	10:00	St. Paul	Departed	For New York
1901	Jan	17	10:00	St. Paul	Arrived	From New York
1901	Jan	18	10:00	St. Paul	Departed	For New York
1901	Jan	19	10:00	St. Paul	Arrived	From New York
1901	Jan	20	10:00	St. Paul	Departed	For New York
1901	Jan	21	10:00	St. Paul	Arrived	From New York
1901	Jan	22	10:00	St. Paul	Departed	For New York
1901	Jan	23	10:00	St. Paul	Arrived	From New York
1901	Jan	24	10:00	St. Paul	Departed	For New York
1901	Jan	25	10:00	St. Paul	Arrived	From New York
1901	Jan	26	10:00	St. Paul	Departed	For New York
1901	Jan	27	10:00	St. Paul	Arrived	From New York
1901	Jan	28	10:00	St. Paul	Departed	For New York
1901	Jan	29	10:00	St. Paul	Arrived	From New York
1901	Jan	30	10:00	St. Paul	Departed	For New York
1901	Jan	31	10:00	St. Paul	Arrived	From New York

Wm. L. Garrison

1. *Handwritten text, likely a signature or name, written upside down.*
 2. *Handwritten text, likely a signature or name, written upside down.*

912

Names of all claimants
who had not obtained

Names of claimants	No. of Months Residence				No. of acres taken up to 1 st Dec 1885	Value of Improvements 1 st December
	1882	1883	1884	1885		
R. L. Mission	3	6	11	13		
in that part of St Louis de Langwin, granted to P. Albert						Col. C.
" 1882					3 parties	settled.
" 1883	.	.	.	.	3	"
" 1884	"	"	"	"	6	"
" 1885	"	"	"	"	2	"
making					14	in all.

Chances of all claimants
who had not obtained

Chances of claimants of 1/2 of British purchase of 1/2 of new land		Chances of claimants of 1/2 of British purchase of 1/2 of new land			
Value of British purchase of 1/2 of new land		1780	1781	1782	1783
in all.	3 parties settled.	13	11	8	3
	"	"	"	"	"
	"	"	"	"	"
	"	"	"	"	"
	"	"	"	"	"
in all.		14	making		

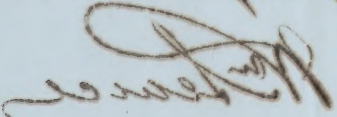
510

in the Province of Alberta, 1881
 & copy price to 1st March 1881

General

1881

Value of a chapel value 75%

The addition to these 4 parties made early in the
 Oct. Co tract in 1881, before agent were notified of
 land having been handed over to Co. Co.
 & some made early in 1881, & of the 11 who were
 early in 1881 have since abandoned, in that the
 are over most more than 17 others within the
 tract, 18 ~~some~~ who claim land & have some improvements
 over the same, the total value of these improvements
 according to their own valuation being \$130,000.
 By letter is meant one who takes up his
 residence on the land, & his departure to report to
 the in some circumstances. Respectfully submitted


912

in the Prince Albert Fed. Land tract
 & entry prior to 1st March 1885.

entries
 1885

Remarks:

Walls of a chapel value \$75.00

In addition to those 4 parties made entry in the
 Fed. Co's tract in 1868, before agent was notified of
 land having been handed over to Co. Co.

3 men made entry in 1885, 2 of the 4 who made
 entry in 1883 have since abandoned, so that there
 are now not more than 17 settlers within the
 tract. 13, ~~more~~ who claim land & have some improvements
 on the same, the total value of those improvements
 according to their own valuation being \$1350.00

By settler is meant one who takes up his
 residence on the land. In Mr. Clephinson's report by
 settler he means claimants. Respectfully submitted.

Wm. Pearce

912

Names of all claimants
who had obtained one

Names of all characters
who had obtained votes

210

in the absence of the other
 of from the 1st March 1880.

Demerits.

100

100

Not yet become a good fish seller.

in the Prince Albert led tract.
 by prior to 1st March 1885.

name

Remarks.

1885

Not yet become a bona fide settler

In connection with the topographical survey of the neighbourhood of Banff now being prosecuted by Mr. Geo. A. Stewart, V.L.S., the undersigned has the honour to submit that to make the survey as useful as possible it is necessary that a first class plan of the territory embraced by it should be made, particularly as on this survey, all future operations must be based, and it is necessary the plans of same should be prepared so that any scheme can be accurately elaborated therefrom.

It has been represented by Mr. Superintendent Pearce that

one

proposed it this movement
 bookkeeping it is possible
 of business and was found to
 submit it, & it is possible to
 find it in various other places
 and as possible it is not
 possible it is possible to find
 it in many other places
 possible of business and was
 found to submit it, & it is
 possible to find it in various
 other places and as possible
 it is not possible to find it
 in many other places

movement

of business and was found
 to submit it, & it is possible
 to find it in various other
 places

913

one Mr Jacob Smith of Winnipeg is particularly well qualified to prepare such a plan, having been many years engaged on surveys of this nature in Westmoreland, England. From 1875 to the Spring of 1880 had charge of all the draughting in the Canadian Pacific Railway office at Winnipeg, and at the transfer of that office to the present Canadian Pacific Railway Company the Chief Engineer of said Company offered him the same position with that Company, he having however previously engaged with the Hudson Bay Company, with which Company he remained until December last, when owing to reduction

performed to direct and to
 befitting the situation is
 present, and a full regard to
 the proper and more
 level in nature of the
 matter. However, however

both of the things at the
 in principle and to speak
 would first of all be
 at the same, performed to
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 would first of all be
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 of the present, and
the same

reduction in land sales it was necessary to reduce the staff of that Corporation. Further Mr. Brydges, Land Commissioner of that Company, has recommended this gentleman in the highest terms; many others have also. Further the Minister of the Interior has seen specimens of his work and expressed himself as greatly pleased therewith and ~~has expressed himself as~~ desirous that Mr. Smith should prepare the plans of the survey being performed by Mr. G. A. Stewart and that such work should be done as the field work is progressing.

In a letter from the Surveyor General dated 9th of February,

1886

913

1886, addressed to the Deputy
Minister of the Interior he ~~says~~
asked if the Minister is anxious
that all the information to be
obtained from this survey
should be forthcoming shortly,
that the second surveyor be
despatched to the field.

It is thought that by Mr. Stewart
having Mr. Smith to take
charge of the draughting and
slightly increasing his party,
as much or nearly as much
could be accomplished by him
as by two parties and at much
less expense.

You will therefore please in-
struct Mr. Jacob Smith to join
Mr. Stewart and take charge of
the preparation of the plans of
survey

people at the beach, and
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survey. His, Stewart's, son, whom it is understood has been engaged at that work, will assist his father at the field work or at whatever other work his services can be utilized to the best advantage.

The pay for Mr. Smith's services will be at the rate of _____ per day and his travelling expenses from Winnipeg to Banff and return, he being on the party and pay sheet of Mr. Stewart of Mr. Stewart and subject to his instructions.

~~It is that Mr. Smith~~

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Private.Ottawa 9th March 1856

My dear Hamilton.

Your telegram re mineral lands in British Columbia just received.

As you are aware, there is a grant of 20 miles on each side of the C.P. Ry which belongs to the Dominion, the remainder of the lands in that Pro. belong to the Prov^{ts}. At first the Pro. gov^t claimed the grant carried only the Crown, not the timber or minerals. They subsequently admitted that the timber went with the land; but still continued the minerals doubt and this matter is expected shortly to be submitted to the Quebec Court to decide. In the mean time the B.C. authorities being on the ground have presumed all or nearly all claimants to mineral land within that belt to locate under the B.C. regulations, a few have had freight enough to locate under both, so that no matter how the decision was their claims would be O.K. I am

A. Macdonald Esq
 Hon. Commissioner of Lands
 Winnipeg

Yours

410

This a common form but highly staining
 about incisions that have been registered
 under our regulations. Of your will offer
 as low as office you will I think be
 able to obtain a copy of our regulations
 if not for a copy of the ship of the
 relative report for 1873 you will find
 them at the time. It is important that
 in a few weeks we will get our common
 regulations which will be published along
 the existing ones, but in case our
 new ones so as being printed and
 presenting the location to the bottom of
 in the structure of the main, and the S. E. of the
 day uniting the line of James Street
 to the S. E. we can obtain copies of the
 1873. Being regulations. The only copy
 now in existence is at the house, five
 out of which are of our own stock - the first
 through the office of regulations have been
 compared with notes that we have for
 restoring formerly. But of that kind of
 order and in relation without reference
 to the house office, as far from means the
 statement every time as an addition
 of time to make necessary correspondence
 or nothing to take the same.

Very truly yours
 J. H. Brown

This a memo from Mr. Ryley showing
 what locations have been registered
 under our regulations. If you will apply
 at Com^{rs} Office you will I think be
 able to obtain a copy of our regulations
 if not get a copy of the Rep^t of the
 Interior Report for 1873 you will find
 them at the end. It is expected that
 in a few weeks we will get out amended
 regulations which will materially change
 the existing ones, probably in areas not
 more than 20 ac being granted and
 permitting the location to be taken up
 in the direction of the river, not ^{necessarily} N. & S. E. & W.
 By writing to the ^{Commissioner} of Lands & Works
 Victoria B.C. you can obtain copies of the
 B.C. Mining regulations. The only safe
 way to proceed is to go on the ground, find
 out if staked out of your claim - or the possi-
 bility staked if regulations have not been
 complied with would then be open for
 restaking probably. but of that point you
 could not be certain without reference
 to the local office, as for previous the
 claimant may have an option
 of time to make necessary developments
 or willing to hold the same.

Very yours

W. P. S. E. & W.

Mining Applications in British Columbia.

1.	West side of Otter-tail Creek, $\frac{1}{2}$ mile south of Otter-tail Bridge.	Gold & Silver.	$39\frac{3}{4}$ acres.
2.	On Tunnel Mountain.	Galena & Silver.	40 "
3.	" "	" "	40 "
4.	" "	Silver.	40 "
5.	" "	" "	40 "
6.	On a branch of Haskins Creek, a tributary of the Otter-tail Creek.	" & Lead.	49 "
7.	" "	" "	49 "
8.	On West Feet Creek, a tributary of the Otter-tail Creek. Gold, Silver, Copper, Lead & Bismuth.		$36\frac{3}{4}$ "
9.	" "	" "	$36\frac{3}{4}$ "

Journal of the

1	1/2 pt	valid & good	upheld just-also to	thru direct	head just-also to	his	1
2	0 1/2	valid & good			interall	down	2
3	0 1/2	"	valid		"	"	3
4	0 1/2	"	"		"	"	4
5	0 1/2	"	"		"	"	5
6	0 1/2	"	"		"	"	6
7	0 1/2	"	"		"	"	7
8	0 1/2	"	"		"	"	8
9	0 1/2	"	"		"	"	9
10	0 1/2	"	"		"	"	10
11	0 1/2	"	"		"	"	11
12	0 1/2	"	"		"	"	12
13	0 1/2	"	"		"	"	13
14	0 1/2	"	"		"	"	14
15	0 1/2	"	"		"	"	15
16	0 1/2	"	"		"	"	16
17	0 1/2	"	"		"	"	17
18	0 1/2	"	"		"	"	18
19	0 1/2	"	"		"	"	19
20	0 1/2	"	"		"	"	20

201

915

8th March 6

104373.

Mr. Ryley

It would appear from Mr. Pace's letter that he hardly comes within the class known as squatters on ranches, who I see from your memorandum you have protected in the assignment from Wachter to the Arley Rancho boy. As he has not yet settled on the portion he wishes to claim I think that probably the best thing to do is simply to acknowledge his letter and tell him that as the land is not yet subdivided he can be given no guarantee. It might

104375

8-March

My dear

It would appear from
Mr. Davis's letter that he hardly
comes within the class known
as squatters or ranches.
But I see from your remarks
and from your letter
in the accompanying from
letter to the Chief Justice
that he has not yet settled
on the position he wishes to
claim. I think that pro-
bably the best thing to
do is simply to acknowledge
his letter and tell him that
as the land is not yet
subdivided he can be
given a preference. It

Yours

might have to be discussed
 day, or a school section,
 in which case the Government
 might not be able to
 protect him. It is probable
 that during the coming
 season a report will be
 obtained from some of
 friends of the Department
 who will personally visit
 the remaining departments
 in the vicinity of Madrid
 many of them were visited
 last year, and it is probable
 the remainder will be
 inspected and reported
 on during the coming
 summer when enough
 information it is to be
 hoped will be obtained
 to enable the Department
 to come to an intelligent
 decision in the matter.

might prove to be Hudson's Bay, or a school section, in which case the Government might not be able to protect him. It is probable that during the coming season a report will be obtained from some official of the Department who will personally visit the remaining squatters in the vicinity of InLeod. Many of them were visited last year, and it is probable the remainder will be inspected and reported on during the coming summer when enough information it is to be hoped will be obtained to enable the Department to come to an intelligent decision in the matter.

915

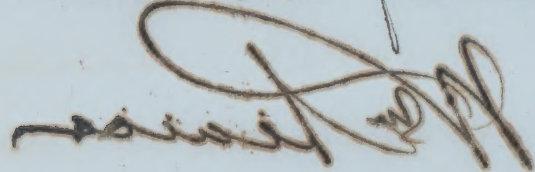
I expect that I will be able to inspect the remainder of the squatters claims in the McLeod District during the summer. If not able to do so myself I will try to get somebody else to do it.

Respectfully submitted

W. Pearson

I expect that I will be
 able to inspect the remains
 of the Egyptian claims in
 the West India district during
 the summer. If not able
 to do so myself I will try
 to get somebody else to
 do it.

Respectfully submitted



Ottawa, 6th March, 1886.

Memorandum for Minister
on Y. and M. 14804.

A petition of the N. W. Stock Association, which represents about one half the ranching interests, there being two Associations. One having McLeod for its centre. The other (which sends this petition) representing all the stock in the vicinity of High River and lying to the north.)

They state large amount of capital is invested in ranching interests and that the country is suitable chiefly for ranching and that it is the duty of the Government to protect this

interest

no. 40841. m. lms. 4 no

30 Inuamă spre el totă puterea
 prietenă și bună și totuși
 puterea ei totă bună și bună
 prietenă și totuși el totuși
 și 30 puterea ei și 30 totă bună
 din totuși și înuamă

Herbert

interest.

They ask that a committee be appointed by the Government to confer with a delegation of stockmen with a view of considering and deciding on the following important measures.

"The locating and withdrawing from settlement such lands as are required for stock watering purposes, lands suitable for shelter in winter, also lands valuable for hay on unleased government lands, and that cattle trails be established from the markets where cattle are purchased, to the ranges and from the ranges to where they are disposed of."

And that after these are selected a proclamation be

issued

.Taditni

ettimmas a tait hlo jult
 .muvab et jst btmaggo et
 .spelas a ttiur refra at ttiur
 uiv a ttiur membat jst nat
 pmibias bmo pmirebidras jst
 Tmoleqpmi pmuallaf et no

.derudant

curabitur bmo pmuallaf et

staid ttiurmetted mof pni
 ref beringer ero do abnot
 .deapung pmirebidras hlat
 ni stilled ref elotind abnot
 elaulor abnot addo, retinur
 .muvap bedaelur no jst ref
 ettoz tait bmo abnot ttiur
 et mof beddelotde et eliat
 .ref ero ettoz etter eltiur
 mof bmo depmor et at, bedat
 ero jst etter at depmor et

" jst bedagid

.ed ero etter ettoz et bmo

et maitmoleat a bmo

beuad

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issued declaring them forever reserved for the purposes mentioned, and on no account to permit settlement thereon.

The proposal was that these Associations should make the selections so far as places for water, shelter and hay are concerned and having done so an official of the Department of the Interior should inspect and report thereon and on that report the Government would make whatever reserves were thought advisable. This proposition will in effect leave to the Government the trouble and expense of making the Reserves; but even so perhaps it would be advisable such should be done. Would it not however be advisable that the other Stock Associations

at

reuef mek pmeleeb beidd
 .ment dedapuef itf raf breuer
 at Imueeo at no bmo, berat
 .mauet Imemitted timref
 edet totf low dedapuef itf
 itf etom bluat draithoadd
 raf dedapuef de raf ad draithoadd
 eo, put bmo rilled, rillou
 ad erab pmeut bmo bmeuere
 Imemitted itf fo laieffo no
 Imemitted bluat rilled itf fo
 no bmo mauet Imemitted bmo
 Imemitted itf Imemitted totf
 beidd reuefuef etom bluat
 dret . Imemitted Imemitted eo
 Imemitted itf Imemitted
 Imemitted fo Imemitted bmo Imemitted
 .raf ad mek Imemitted; Imemitted itf
 Imemitted itf bluat Imemitted
 bluat . erab itf bluat Imemitted
 Imemitted itf Imemitted totf Imemitted
 Imemitted Imemitted Imemitted itf Imemitted
 Imemitted

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at Fort Macleod should join with this in this request.

The reservations for water and shelter I think highly desirable, the one for hay, I don't think so important. If they are not enclosed, the cattle tramping over them will render them worthless for hay purposes in two or three years. If parties want to obtain hay, the best way I think will be by irrigation - however the withdrawal of hay lands from Homestead and Preemption in a stock country would be clearly logical.

As to the Trail Reservation I think the point desired could be best attained by an Act similar to the one in force in Australia. An Act to regulate the driving of stock
from

my blood beamed that to

Thou art not in the air
below thy shoulders are

just as I am to be killed and
I am to just as I am, I am
just as I am. I am not as I am

and I am, I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

and I am not as I am

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from one portion of that country to another, which permits the crossing of any ranges doing no actual damage to fences, &c., must drive so many miles each day in a continuous direction, not back and forward, when crossing a range of another party. Must be herded so that the stock cannot mix with any pasturing on the range also must be free from scab or other disease. To have also right to access to water, &c.

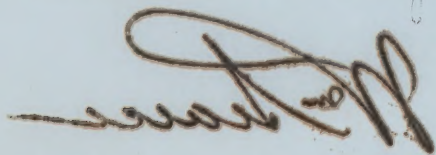
Respectfully submitted.

Wm. Hance

yllnuw tawt fo naitlef ero marf
 ete alimney haitu - lertano at
 priab depnot juno fo prieddalo
 .st, leamef at spomab lauter ar
 delim juno ar ruitb tawt
 -ib dvanitudo a ni juk hest
 jowuelf lomo hest tar, naitul
 -no jopnot a prieddalo naitu
 ad bebet et tawt . jilroy hest
 jino tanno hest et tawt
 ete no prieddalo juno hite
 marf erf et tawt add spnot
 hest at . edeab hest a dard
 , hest at dard at tawt add

.54

.bittimud jilufieddalo



MA
883 604
Prince Albert District
Land Matters.

Memorandum

Early in 1883, if not the latter part of 1882, it was arranged that Mr. Lindsay Russell should personally investigate and adjust all the old claims on the Saskatchewan River. An untoward accident prevented him from accomplishing that.

I first visited the Prince Albert District in August 1883; was detained there several days expecting to return by boat; met all the leading

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leading people of the district, who urged on me that steps be at once taken to arrange the land matters.

On my return to Winnipeg I represented this to the Department at the same time stating that if the Government wished my services were available for this work, though it imposed very considerably more labor on me. My colleague, Mr. Walsh, rather demurred at my undertaking it, thinking that I had enough to do without. The result was that I was

Commissioner

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Commissioned to investigate and the Land Board to decide the cases in the Prince Albert District.

When I reached there I found that the Land Office did not contain the information necessary to adjust many of the claims on the South Saskatchewan. I was aware that a certain portion of the land had been surveyed into river lots but did not know to what extent, and no plan having arrived I could not tell. Outside of this I was prepared, however, to settle any cases that might arise, and

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and did so. Several
in the neighborhood
of Duck Lake, also the
case of Michael Cannoy,
in Townships 43; Range
25, who applied for
and obtained his
patent through my
recommendation..

At the instance of
Thomas McKay I al-
so took the evidence
in relation to ^{Michael} Thomas
claim in the same
township and range.

I was called upon
by Louis Schmidt and
Charles Holm and re-
quested not to pro-
ceed with the settle-
ment of claims there
until the Govern-
ment had decided

whether

Lorend . . od bib hr . .
 boodboodpior ete in
 ete alle ete I deele
 jumbo leobirt jo deo
 pmoft: H egiatavot in
 of bilpde oter, or
 eit beniothe bro
 jor dpuvoti - louto
 . . noilebrommoe
 jo emoten ete -
 le l jork: or eomot
 emeliet ete toat od
 komu^{er} al noilelet in
 eomoe ete in inuoe
 pmoet bro githowal
 noqu bello eoa l
 moilbimto diuet jo
 . . bro inuoe elee
 - oet al: tar bitaup
 - ellet ete itie beo
 eet emuoe jo l oer
 - mevet ete itie
 bebieb boet: meo
etuteal

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whether they would
give them the river lot
survey or not.

I pointed out to them
that there was no ne-
cessity for a river lot
survey, and that they
could divide up their
lands obtaining what
they desired by the sur-
vey already made.

They filed a verbal pro-
test against granting
Canny what he request-
ed by sectional sur-
vey, stating that he
had agreed with the
other settlers to petition
the Government for the
section lot survey.

From my conversa-
tion with them I in-
ferred that they
decided

917

decided to hold out a little longer hoping the Government would give them the survey as they had asked.

At that time I pointed out to them the absurdity of their contention, they, having settled subsequent to survey, should accept the surveys as established. I was also requested by the disputants, Louis Schmidt, T. J. Agnew and others, to arrange the dispute in Township 45, 1, west of 3rd. I told them that I had no time personally to go on the ground and make the necessary back survey. As this dispute

a two blot a believe
 the report report still
 up below however
 put as journal the most
 better best

bilnodd mit fort zu
 brechen ist nicht zu
 vermeiden, nicht je
 belüftel pruned, nicht
 je mehr zu trauern
 und ist das so stark
 zu befeuchten so
 befeuchtet oder
 , eintrüben ist je
 wipf. f. l. : thierlich
 sprachen zu
 ferner in die
 hat L. b. je
 so hat L. fort
 opal je
 braun
 je
 ist so . je
 die

917

dispute had arisen by settlement subsequent to survey, I told them the least that could be expected from them was that the Department should be furnished with the information necessary to adjust the same. Louis Schmidt himself settled on a school section subsequent to survey and should have known that it was a school section though probably he did not.

I then represented to the Head Office that there were other matters requiring my attention and that with the expense messrs

Suck

917

Duck and Sauvageau had, they could obtain the necessary evidence and return it to Winnipeg when the Land Board would pass on each case.

From letter 72208 on file 84478 it will be seen, that the Deputy Minister approved of my suggestion that the Agent or his assistant should obtain evidence on the South Fork of the Assiniboine. The letter on file is one of 17th March 1884, a mi. official in which he advises me that the plan of St. Laurent had been sent to Agent Duck. For my verbal instructions

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instructions to Duck
I intended him to have
thoroughly investigated
all the claims on
the South branch, and
when I read his letter
enclosing his report
dated 17th June 1884,
also on file 54478 I in-
ferred that he had
made a thorough in-
vestigation as he says,
"the evidence taken by
him in the matter of
the various claims to
land in the Parish of
St. Laurent and vicin-
ity; the evidence taken
embraced nearly all
of these claims, the
only exceptions being
a few who were
temporarily absent
at

Heuch at enoileuileu
 suot at muth bethuileu ?
 Heupildewu jethpawewu
 so enuole ete leu lo
 bmo demoret stuw ete
 eulle et bethuileu
 -lofer et pnuoleu
 HPR1 enuf H bethuileu
 -m h pnuileu et so enuole
 beth et bethuileu
 -m pnuileu et enuole
 enuole et so enuole
 jethuileu et enuole
 jethuileu et in muth
 at enuole enuole et
 jethuileu et in bmo
 -m h bmo -bmo et
 enuole et enuole et
 leu jethuileu et enuole
 et enuole et enuole
 jethuileu et enuole
 enuole et enuole
 -bmo jethuileu et
 -lo

917

"at the time of my being in that part of the district, in the majority of cases on the side of the Parish of St. Laurent, &c."

From that it would be inferred that he had made a complete investigation, particularly as he embraced claims in his report which extended above the river lot survey of St. Laurent settlement 10 miles. Had he gone down the river that distance he would have taken in all St. Louis de Languevin.

The next communication on file is one dated

I just go until a little
 go back to the in the
 at in, the first and
 so as to go to the first
 go down at the first

"I know it."

would like to see
 at the first because it
 always is so good
 - and, the first time
 and it is so pleasant
 - and in the first
 the first time the first
 and the first time the first

- know it. I just
 . all in the first
 now I go to the first
 the first time the first
 and it is so good
 at the first time the first

the first time

the first time the first
 the first time the first
 the first time the first
the first

917

dated 21st June 1884,
and has reference
only to river lots over-
lapping one another's
Indian Reserve Survey.
This matter was
finally straightened
out in November, 1884.
See H. O. 80522.

The next thing is a
letter from the Rev.
Père André, not bear-
ing any date, but
enclosed with one
from the Prince Albert
Agency dated 24th
December, 1884. This
is a very vigorous
letter but refers
wholly to the inves-
tigation already
made by Mr. Duch

215

-buo d'el revent al pulso

much sweet milk

Benützpreisliste aller Tage

5508.0.1/1111

will be very well

level, it is to provide

add count to work

int. #881, redwood c6

descriptive method and

deep-level review

...um ist als jüdischer

pebble with pit

How far we have

917

" Prince Albert, N.W.T.

" 19th January, 1884.

" Capt. Deville,

" Chief Inspector of Surveys

" Ottawa, Ont.

" Sir,

" I have just seen Mr.

" Inspector Pearce. To my

" great surprise that

" gentleman was unable

" to answer, in a satis-

" factory way, my ques-

" tions put him. He

" simply advised me

" to write you promising

" to do so himself im-

" mediately.

" About a dozen years

" ago colonists settled

" on the shores of the

" southerly branch of

" the Saskatchewan.

" Towards

917

where this mission is established it was surveyed into River lots, St. Laurent in 1875, but through mistake of Indian: department surveyor a portion of these lots was included in one Arrow reserve and it was not till August 1884, this was adjusted.

Towards the end of the winter of 1881 the St. Laurent mission (on the west side of the river Sec. 21, Tp. 44 - R. 1 - W. of 3rd) was no longer large enough for the population which was increasing and spreading in all directions. I was called upon to establish a new mission at Batche's Crossing Tp. 43 - R. 1, West of 3rd, about 8 miles higher than the St. Laurent one on the opposite side of the river (the Eastern side) which was becoming more rapidly populated. The presence of a missionary joined to local advantages of fertile lands

917

lands on the borders
of a large river, soon
used the settlements
to augment at a pro-
digious rate the dif-
ficulties inherent to
a pioneer settlement
having been surmount-
ed, I ceded my place
to another in order to
go and found an
easier mission at
Prince Albert. But the
southerly branch al-
ways desired my
presence. This time I
went down stream to
Sp. 45, R. 27, W. of 2nd al-
ways on the bank op-
posite to St. Laurent,
that is the southerly
bank for higher up the
river runs at right
angles

eebrod it re abmal
 rood, re it spool o jo
 alomelid it beed.

- aef o to lrompud al
 - fib it ilor ewipab
 al lromelid eillud
 - lromelid reed o
 lromelid reed o
 ewipab re beed l. jo.
 al reed re reed al

no brouf bro of
 - lo roidid reed
 it lre. lre reed

- lo reed reed
 re beed reed
 reed al reed
 al reed reed

- lo reed reed
 - jo reed it re reed
 - lromelid al ilor
 reed it re reed
 it re reed it re reed
 - lromelid reed reed
 reed

917

not so.

settled - subsequent
to survey.

"Angles. Already im-
"migration was flowing
towards this point
and has since continu-
ed at an increasing
rate. At present the
right bank of the south
branch of the river is
settled without inter-
ruption for a distance
of about 50 miles from
Smith's Reserve in T^p. 4
R. 26 west of 2nd to T^p.
38, R. 1 and 2 west of 3rd.
The intention was
to take the river lots
chains in front by the
miles in depth. The
colonists have erected
houses and other nec-
essary buildings. They
have cultivated fields
of greater or lesser

"extent

[illegible]

540

ad. 1078

• Longest and widest
present at

917

Affected people in St. Louis don't agree with this. In fact these people have made in spite of said fear as much improvements as their class have made elsewhere; if there was so much fear why did his church at his instance commence the creation of a chapel on an odd section, subsequent to this land sale.

Totally astray on surveying. His idea of making a survey is that ~~any~~ side line should be run which never been done in any part of Canada or the United States by the Government.

If they had conformed to survey effected at time of settlement they could have made entry at date of settlement; they performed an illegal act settling on surveyed land without obtaining entry.

24th Nov. withstand-
ing a fear sufficient to
cause their implements
of husbandry to drop
from their nervous
fingers as you can eas-
ily understand.

When the first ^{survey} were
made 5 or 6 years ago a
few miles were laid
out in squares as is
habitual elsewhere.
A base line was run
for a few more miles
but not a lot was sur-
veyed nor its boundaries
marked.

Since the opening of
the Land Office these
poor people have asked
that their lots be sur-
veyed in order to be
able to make entry for
them.

917

It would be impossible for him to cite cases where people left on this account; he may have imagined that was the reason.

Many of these same people sold their rights to land in Manitoba to 240 acres for \$25⁰⁰. Further observed what they did in 1883 when they could have obtained \$240 in scrip or that many acres of land, took scrip and it at 40⁰⁰ an acre.

No record of either Leduc or Maloney ever made any mention of their claims on the South Saskatchewan.

"them and obtain patent.

" I myself have caused
" Mr. Leduc, Dominion Land
" Agent at Prince Albert to
" write several times to
" Ottawa but with such
" poor success that I became
" discouraged, and sever-
" ally were obliged to leave
" some selling their land
" for a fictitious con-
" sideration others
" abandoning them
" without any com-
" pensation.

" For February 1883,
" Rev. Father Leduc and
" Mr. Maloney were sent
" from this section to
" lay our grievance before
" the Government. They
" were promised in
" writing that the lands
" occupied

917

"occupied by us would
 "be surveyed in river
 "lots, 10 chains frontage
 "by 2 miles depth, and
 "that the survey would
 "be made in the follow-
 "ing autumn, 1853.

"The autumn has
 "gone and winter ad-
 "vances. What has be-
 "come of these promises?
 "Has a surveyor been
 "charged with the job
 "and has he failed to
 "fulfil his obligations?
 "This is what we ask
 "ourselves and, Sir, it
 "is also what we to-
 "day ask of you.

"I do not address
 "these queries to you
 "simply in my own
 "name, nor in the

"name

917

Leduc and Maloney
never said anything
about the people on the
South Saskatchewan.

"name of the two missions
"established by me on
"the South branch of
"the Saskatchewan. I
"repeat what the Rev.
"Father Leduc and
"Mr. Maloney said to
"the Honorable Gentle-
"men composing the
"Government in the
"winter of 1853. I repeat
"what our population
"say to the Land Agent
"at Prince Albert. I am
"the faithful interpret-
"er of the entire popula-
"tion.
"Be kind enough to
"weigh the consequences
"of a longer delay.
"Colonists have formed
"and are forming every
"day settlements
"without

917

All they had to do
was to conform to survey
and they would have
known where they were

without knowing where
the boundary lines of
their future properties
will be situated.

These boundaries con-
sisting of inflexibly
straight-parallel lines
will cross fields run
through houses,
divide a farming
house from the fields
belonging to it; all
inevitable things
for those who have al-
ready built or will
build until the sur-
vey is completed.
What great incon-
venience! What de-
plorable effects! Three-
quarters of this trouble
would have been
avoided if the survey
"had

1. Die erste Aufgabe ist es, die
 2. die zweite Aufgabe ist es, die
 3. die dritte Aufgabe ist es, die
 4. die vierte Aufgabe ist es, die
 5. die fünfte Aufgabe ist es, die
 6. die sechste Aufgabe ist es, die
 7. die siebte Aufgabe ist es, die
 8. die achte Aufgabe ist es, die
 9. die neunte Aufgabe ist es, die
 10. die zehnte Aufgabe ist es, die

all about the
people at the school and how
much they love him
and how much they love

917

had been made when
asked for and promised.
I trust, Sir, that the
misfortune that
weighs so heavily up
on our people will
immediately come
to an end, the more
especially as a word
from you will suffice.
You will kindly in-
form surveyors, to
be charged with the
work, that this sec-
tion of the country
needs haste much
more than other parts
not yet in process of
colonization. And if
the surveyors are not
yet formed they are
in sufficient number
to inform that
you

noted above and last
 animal was of better
 at last, it is, I think

that mother
 of present as above
 live again we are
 now still in same
 state at home as
 before as well as
 of live we are
 in still in same
 at, however, of
 at live before
 work, that this is
 that of the country
 have been about
 of other work
 is seen in the
 is good, with
 the however
 we just before
 almost finished
 that is, in the
 way "

917

"You may designate
 some of them to come
 to this place and make
 our people inasmuch
 as things permit; happy
 and satisfied.

"I hear you tell me to
 have patience that
 with time all will be
 well. But these are
 words that, allow
 me to say, I cannot
 endorse; the time has
 gone by for the follow-
 ing reasons.

at Prince Albert as at
 South Saskatchewan
 and everywhere else where
 settlers were at time of survey.
 Homesteads were granted when
 section survey did not give
 them their improvements.
 The cooperation of this land
 is shown in the letters of the
 homesteaders. The letters in
 Prince Albert. It is also
 written at time of survey
 when we were making this
 investigation.

"Prince Albert was
 settled at the same
 time as this colony
 commenced, and a
 long time has elap-
 sed since the Prince
 Albert settlers have
 sold their lands
 surveyed

917

The River squares
were not changed into
River lots, the lots were
laid out at time of original
survey it being reported
that was a considerable
settlement on the north
and west bank of the
Saskatchewan and in
the instructions to Sur-
veyor he was directed to
survey all along the river
into River lots, it not be-
ing known at what par-
ticular points the people
were settled.

"Surveyed and received
their patents.

"In the second place I
do not wish that it be
said that there exists
in this country places
where immigrants
are treated like Helots.

"Opposite the mission I

"established, that is
to say on the north
bank Tp. 45-R. 27 & 28
west of 2nd there are
but two families and
already in the two
townships the river
squares have been
changed into river
lots, I see them on
the map. Since 10
there are some families
on the south bank,
your number
about

"About 30 families,
 "next summer place
 "for some of those who
 "promised to come
 "will not be found and
 "not a river lot has been
 "surveyed. What would
 "immigrants do if
 "they knew that in
 "this country they will
 "be treated with such
 "unheard of partiality?
 "If I were on the spot
 "I could get to this
 "letter the signatures
 "of heads of families
 "representing a popula-
 "tion of 2000 souls.
 "But I prefer send-
 "ing it to you im-
 "mediately, hoping to
 "receive an answer
 "before Mr. Pearce
 "leaves

The census shows he
 estimated the population
 here very much too high
 at that date.

917

" comes us, as he can
 " give us efficient as-
 " sistance.

" I have the honor to be
 " Sir

" Your obedient servant

" V. Béguvill,

" Missionary at

" St. Louis de Languevin.

" Address

" Rev. Béguvill,

" Prince Albert,

" N. W. C."

The letter of the pre-
 sent Surveyor General,
 dated 14th February, 1884,
 states how to consid-
 er, as Head of the
 Survey Branch, this
 matter of River lots
 on the South Branch
 should be arranged.

He

moos et ad, ad ad ad

- ad - hneiff ad hneiff

. amolde

al 1800 et 1800

id

hneiff hneiff hneiff

hneiff hneiff hneiff

- hneiff hneiff hneiff

hneiff hneiff hneiff

hneiff hneiff hneiff

hneiff hneiff hneiff

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hneiff

917

He suggests that I should see his letters of the 14th February and 12th March. You will also notice a letter from the Commissioner - at least signed by me for the Commissioner, dated 19th March, in reply to the observations of Capt. Sewell of 14th February, in which I state that I am well aware, if I had personally the time to go on the ground and make the necessary track surveys, that these claims could be all satisfactorily arranged without any further instrumental survey.

[illegible]

917

survey; but I feared
 owing to bends and
 bays in the river these
 parties each supposing
 their claims ran back
 at right angles to the
 river in front of their
 claims, the lots would
 either overlap or leave
 such gaps that neither
 the Principal Agent
 or his Assistant
 possessed the know-
 ledge necessary to ar-
 range them as they
 should be, and I then
 suggested that a
 Dominion Lands Sur-
 veyor should be detai-
 ned to go with him.
 As it has since turned
 out there was only at
 one place, namely, on
 sections

beverly h. luv; jessie
 bmo abmed al p rive
 eart reiverth in apud
 p m o p p u d h e a e i t t e d
 d e a t m o e m m i o l e r i e t t
 e t t a l a l p m o - l h p u e - l o
 r i e t t j o - l o o r y i n r e u e
 b l u e u e e t a l e t t , a m m o l
 s u e l r o p o l e r o e t t i e
 e t t i e r - l o r t a e r p d e e a
 i n p o - l e - l l e e i n e t t e t t

t m o t h e a d e i t t r o
 w o m t e t t b e a d e a d
 - r o a l j e u e e e e e e p l o l
 j e t t e o m m e t t e p r o u e
 m e t t l b m o , e l b l u e d e
 o - l o r t b e l l e p p u d
 e u t a b m o l n o i m m o e
 e i t l e l e l e u e d e p o u e
 . m o u t t i e u e p a l b e
 e e m e t t e m m e e o t t i e o
 e o j e u o a e u e e t t - l o
 e o , j e u m o e b e l d e o
 e o t t l e l l e

917

Sections 1-2-11 and 12
in Tp. 45, R. 1 west of 3^d
that such a state of
affairs existed, in the
rest of the entire dis-
trict the general
course of the river was
so straight and the
claims of those parties
lay so close to the
river, that there has
been no trouble in
allotting by legal
subdivisions or por-
tions of sections so as
to cover each man's
improvements.

See letter 8625 from
the Prince Albert Agent
dated 25th February,
in which he calls at-
tention to the fact
that there are a

great

[illegible]

I have not yet
 received the
 book of the
 history of the
 city of New York

at all as just
lost self-lost, with
in desert as well

loper je pmitella
od se aiaiaiaiaia

as of which I will
know how soon

Ammonia

more and more real and

the same old story

presented to the book

to all of it. I have not

- Look at a situation

so we work hard

Thorp

917

great many claims
in that district which
were not then settled.
This was a great sur-
prise to me as I
imagined that Mr.
Duck's report covered
the whole of them ex-
cept those few that
were disputed in Tp.
45 Range 1, west of 3rd.
That letter could not
have reached the Com-
missioner's office be-
fore the morning of
the 6th of March.
owing to his death
on the night of the
6th, or morning of
the 7th March, there
was nobody in the
office to take action
in the matter and
the

amule junon-leep
Aitw-laitak-lark in
-bellus miti-tan-
-and-leep a soul airt

b as are at said
am-lark bernipom
bever-leep itell
-in meti jo etat et
-lark and work-lee
-it in blugibew
-lee jo-law, iprom-
-for blaw rell-lark
-mod et bever-
-el iijfo eever-
jo prumom et ref
-dewom jo et
dewom et al prumom
et jo-lark et no
jo prumom no, et
et, dewom et, et
et in prumom
nail et et et
bom rell et et
et

917

the result was that
it was referred to the
Head Office. It reached
the Head Office on the
4th March, on the 18th
March full instruc-
tions were sent to
Mr Suck to continue
this investigation.

For full details of
verbal instructions
to George Suck, his
action and explana-
tions of the delays
which inevitably
ensued, see my letter
of 15th January, 1886,
No. 105778.

Respectfully Submitted
R. S. S. S.

Ottawa, 15th March, 1886

Memorandum.

H. O. File W. 21554.

re 10 $\frac{1}{2}$ 10. 15. 18 10 $\frac{1}{2}$.

Solomon Beech.

The land in question is
the 10 $\frac{1}{2}$ 10. 15. 18 10 $\frac{1}{2}$.

There was an application
made by Amitage of Min-
nedosa to cancel Solomon
Beech's entry to the above
half section and the Agent
was asked to report on it,
it being situated alongside
his office at Adanah. On
his report Beech's entries
were cancelled. In fact
Beech made no defence
whatever

Utah, 15th March 1880

Memorandum

H. O. File W. 21554

re to 10. 15. 18 W. 19

Colorado Beach.

The land in question is

the 10. 15. 18 W. 19

there was an application
made by University of Minn.
referred to canal Colorado
Beach's entry to the above
half section and the Gov.
was asked to report on it.
it being situated adjacent
his office at Colorado. On
his report Beach's entries
were cancelled. In fact
Beach made no defense
whatsoever

918

whatever himself, some parties
 in Minnedosa tendered
 evidence on his behalf.
 The land being situated
 near Minnedosa it was
 thought too valuable for
 ordinary homestead and
 pre-emption entry. It was also
 felt that Armitage should
 receive some consideration
 and it was decided to sell
 him a legal subdivision,
 forty acres at \$2⁵⁰ per acre,
 subject also to homestead
 conditions, in addition to
 pay the cash value of any
 improvements on the same,
 which, from evidence on
 file would appear to amount
 to \$20⁰⁰. This I fancy has been
 paid to Beech. This cancell-
 ation was carried out on
 the 25th March 1883. In I
 think full following Dr.
Lequien

but after himself, some parties
 in Minnesota or elsewhere
 evidence on his behalf.
 the land being situated
 near Minnesota it was
 thought too valuable for
 ordinary transaction and
 for. exception entry. It was also
 felt that Committee should
 receive some consideration
 and it was decided to sell
 him a legal subdivision,
 forty acres at \$25 per acre.
 subject also to transaction
 conditions, in addition to
 pay the cash value of any
 improvements on the same
 which, from evidence on
 file would appear to amount
 to \$200. This money has been
 paid to date. This corner
 lot was carried out on
 the 25th March 1883. In 1883
 think four followed the
 survey.

918

Ferguson M.P. for Seeds called upon the Land Board and made certain representations which would go to show that Beech had been wrongfully cancelled. He did not profess that Beech was not liable to cancellation through assignment which he had made of his interest in the land; but he contended that if the Agent had made a fair report on the case, that he would not have been cancelled on the grounds on which cancellation was carried out. He promised that he would forthwith obtain evidence to substantiate what he said. I have seen him several times since and he always said he was going to attend to this at once.

Chrs

Ferguson W. P. for the Board
 upon the Board of Directors
 made certain representations
 which would go to show
 that such had been
 warfully cancelled the
 did not profess that such
 was not liable to cancellation
 through assignment which
 he had made of his interest
 in the land; but he contended
 that if the report had
 made a fair report on the
 case, that he would not
 have been cancelled on the
 grounds on which counsel
 action was carried out. He
 promised that he would
 forthwith obtain evidence
 to substantiate what he
 said. I have seen him
 several times since and he
 always said he was going
 to attend to this at once.

918

On the second of April last a letter was sent to the Commissioner concerning this. Said letter was occasioned by a petition signed by residents of Minnedosa on behalf of one Alexander Campbell that he be granted entry to that portion of Beech's claim yet unentered.

The Commissioner was directed to make the report on the case.

The Commissioner recommends that Beech be restored under the following conditions: subject to a grant of a road from out of the 11th section and that the sale to Ammitage should be cancelled and the land restored to Beech, but if it were not practicable to cancel Ammitage's entry, Beech

was

On the second of April last
a letter was sent to the Com-
missioners concerning this
said letter was received
by a petition signed by
residents of Minneapolis on
behalf of one Alexander
Campbell that he be granted
entry to that portion of
public claim yet unvested.
The Commissioner was
directed to make the report
on the case.

The Commissioner recommended
that such be referred under
the following conditions
"subject to a grant of a road
from out of the land section
and that the sale to them
"road should be cancelled
and the land returned
to such, but if it will not
"proceedable to cancel
"Committee on the Public

918

"was to be credited with the
 "amount" paid by Armitage
 "on payment of his, Beech's,
 "preemption". This report is
 dated the 15th April 1885. On
 the 17th August 1885 Mr. Beyson
 writes asking that Solomon
 Beech be notified as to the
 decision in the case.

The 23rd August 1885 the Com.
 missioner is written to in-
 structing him to notify
Beyson of the decision in
 Beech's case.

On October the second 1885
 Armitage states that he is
 advised that his entry was
 cancelled, and states he
 should not be cancelled.

On 28th October the Agent is
 written to that as patent
 had issued in January 1884
 to Armitage that his entry
 of course could not be cancelled

and

was to be credited with the
 "amount paid by Committee
 or payment of his debts,
 'presumption'. This report is
 dated the 15th April 1885. On
 the 17th August 1885 the Com.
 writes asking that balance
 be satisfied as to the
 decision in the case.

The 22nd August 1885 the Com.
 writes in answer to in-
 structions from to satisfy
 Com. of the decision in
 Buck's case.

On October the second 1885
 Committee states that he is
 advised that his entry was
 cancelled, and states he
 should not be cancelled.
 On 28th October the report is
 written to that as patient
 had issued in January 1884
 to Committee that his entry
 of course could not be cancelled
 and

918

and that legal subdivision could not be granted to Beech.

In November Beech writes a letter no date nor anything to indicate where it was written, asking that this \$120 paid by Armitage be handed over to Mr George W. Beupon of Minnedosa.

On the same date Beupon applies for the same ~~at~~ ~~does~~. On the 7th December Beupon is told that this payment by Armitage is to be applied on Beech's pre-emption.

Beech made entry 20th September 1879 consequently he is entitled to pay for his pre-emption three years and six months from that date, which will make the 26th March 1883 the date his pre-emption should be due.

In Beupon's letter under

private

and that paper subscription
 could not be granted to back.
 Mr. Loomis has written
 a letter to date for something
 to indicate where it was
 written, asking that this
 \$120 paid by Committee be
 handed over to the paper.
 Mr. Loomis of Minnesota.
 On the same date Loomis
 applied for the same ~~amount~~
~~for~~ on the 15th Loomis
 Loomis is told that this
 payment by Committee is to
 be applied on back's payment.
 Loomis made entry of
 September 1879 accordingly
 he is entitled to pay for
 his pre-emption three years
 and six months from that
 date, which will make the
 20th March 1883 the date his
 pre-emption should be due.
 Mr. Loomis better under-
 stand.

918

private cover to the Minister
 dated 2nd January 1886, he
 states some hundred dollars
 was paid for Beech's improve-
~~ments. This is not the case, hardly any was paid for improvements.~~
 A hundred dollars
 for the land. He, Beynon, asks
 that this hundred dollars
 for improvements be repaid
~~to Beech, he is convinced~~
 this matter never came
 before the Minister or such
 an injustice would not
 be done him, and for this
 reason he is writing to him
 privately. He states it is un-
 fair to ask the man to pay
 for his pre-emption before he
 can apply for his homestead
 patent, further that Beech
 need not take his pre-emption
 unless he wishes. He can
 relinquish it as many
 others have done. In this
 case he is not likely to do
 that.

private cover to the Committee
 dated 27 January 1880, the
 States some hundred dollars
 was paid for public improvements
 to the canal, but the sum for the
 for the land. The Department
 that this hundred dollars
 for improvements be repaid
 to the States as is provided
 this matter never came
 before the Committee or that
 an inspection would not
 be done then, and for this
 reason he is writing to him
 privately. The States it is the
 fair to ask the money to pay
 for his pre-improvements before
 can apply for his loan.
 patent, further that he
 need not take his pre-improvements
 unless he wishes. The can
 reimburse it as money
 others have done. In this
 case he is not likely to do
 that.

918

that as the property is much too valuable to lose. He urges it chiefly on the ground of Beech's poverty, that he is not able to go on and live and erect buildings.

I have no doubt he can sell his right to the pre-emption for a good premium and apply for his homestead patent, as he must have been reinstated wholly on the ground that he had fulfilled the homestead conditions and was entitled at any time to apply for his patent. On further reference to Mr. Burgess' letter to the Commissioner dated 2nd April last. It does not appear so clear that Beech is entitled to his patent, he has been reinstated on the presumption that

that as the property is much
 too valuable to lose. He
 says it chiefly on the ground
 of Beck's poverty, that he is
 not able to go on and live
 and well-buildings.
 I have no doubt he can
 sell his right to the pre-
 mium for a good premium
 and apply for his reinstatement
 patent, as he must have been
 reinstated wholly on the
 ground that he had
 fulfilled the conditions
 conditions and was entitled
 at any time to apply for
 his patent. On further
 reference to the business
 letter to the Commissioner
 dated 2nd April last. It does
 not appear to show that
 Beck is entitled to his
 patent, he has been rein-
 stated on the presumption
 that

that his statements were correct. If they were not correct he probably should not have been reinstated, and when it is considered that the entry was made in September 1849, no hardship is inflicted on Beech because the \$100 paid by Armitage is retained as part payment for his pre-emption. Beech's loss of his improvements amounted to only \$20, that I think has been repaid him. If not I see no reason why it should not. Beech has been treated with the utmost leniency, and I fail to see that he has any grounds of complaint. On the contrary I am of the opinion that if the case was strictly inquired into, it would probably be found that Beech merited cancellation at the time that Armitage cancelled the same.

Respectfully submitted
J. H. Brown

that his statement is
 correct. If they were not
 the probably should not have
 been mentioned, and when
 it is considered that the
 entry was made in Septem-
 ber 1879, no tardiness is in-
 flicted on such because the
 \$100 paid by Committee is
 retained as part payment
 for his pre-emption. Such
 loss of his improvements
 amounted to only \$20, that
 I think has been repaid
 him. If not I see no reason
 why it should not. Such has
 been treated with the utmost
 leniency, and I fail to see
 that he has any grounds of
 complaint. On the contrary
 one of the opinions that this
 case was chiefly respected
 it would probably be found that
 such merited consideration of
 the time that Committee con-
 sulted the same.

[Illegible signature and text at the bottom of the page]

Ottawa, 13th March. 1886.

Memorandum.

File M. A. 7044 and 7103

Re Lot 362 St. Agathe.

William Madill in declaration, made before Roger Couley, dated 5th December, 1884, states that he put up a house August, 1884, the house at that date is worth \$200; he has material on the ground for stables, the value of \$200 more, he has five acres ready for plowing, that is grubbed. That it has been improved and he has been living on it steadily since 1883, in which year he put up a

J. H. Smith Esq,
Commr. Dom. Lands.

Small

Discontinued

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Ottawa, 13th March, 1884.

Memorandum.

File No. 7044 and 7103

Re 20th 3rd 1884. H. Appleton.

William Appleton made before Paper 7044 dated 25th December, 1884, stating that he put up a house in August, 1884, the house at that date is worth \$200; he has material on the ground for stables, the value of \$200 more, he has five acres ready for plowing, that is doubled that it has been improved and he has been living in it steadily since 1883 in which year he put up a

small

H. H. Smith Esq.
 Ottawa, Ont. Canada.
 1884

919

small shanty. This lot was recommended to be sold him at three dollars per acre, but as Order in Council fixed minimum price at \$5⁰⁰ per acre, this recommendation of Land Board was never carried into effect.

Adolph Marion in declaration dated 22nd January 1885, before Roger Goulet, states that he staked out a 12 chain lot prior to transfer. The decision of the Land Board was that he be granted it as 3rd class staked claim, at \$2.50 per acre. That recommendation is dated 29th October 1885, and the Land Board seem to have had no record of their former recommendation, that it be sold to Madril at three dollars per acre,

otherwise

small quantity. This lot was recommended to be sold him at three dollars per acre but as there was no council fixed minimum price of \$2.50 per acre, this recommendation of Land Board was never carried into effect.

Adolph Knauer in the declaration dated 22nd January 1885, before Roger Powell, State that he stated out a 10 claim lot prior to transfer. The decision of the Land Board was that he be granted it as 3rd class stated claim, at \$2.50 per acre. That recommendation is dated 29th October 1885, and the Land Board seem to have had no record of this former recommendation, that it be sold to Knauer at three dollars per acre,

919

otherwise the last order would not have been made as it was.

Two courses present themselves due to carry out the decision in favor of Marion, subject to paying into the hands of Agent for benefit of Madill, within say ninety days, the cash value of Madill's improvements on said lot, also the two dollars and fifty cents cash price per acre, failing to comply therewith, all claim on the part of Marion to lapse.

Should Marion not comply therewith, the Department would be in a position to carry out previous order with reference to Madill. The only thing to be then decided is the price of the same. So far it could
not

otherwise the last order
would not have been made
as it was.

Two courses present themselves
one to carry out the decision
in favor of Harrison, subject
to paying into the hands
of Agent for benefit of invalids
within say ninety days, the
cash value of invalids in-
valids on said lot, also
the two dollars and fifty
cents cash price per acre,
failing to comply therewith
all claim on the part of Harrison
to lapse.

Should Harrison not com-
ply therewith, the Department
would be in a position to
carry out previous order with
reference to invalids. The
only thing to be then
decided is the price of
the same. As far as could

919

not be sold under five dollars per acre.

The 2nd course would be to refuse to recognize Marion's claim to this lot on the ground that he had permitted Madill to take possession of the same without protest, and it being at best a 3rd class staked claim, leaves it in the hands of the Land Board to dispose of as they may think advisable. Under the circumstances they would probably be justified in ignoring Marion's claim.

I think it probable Madill could for a small consideration purchase Marion's rights to the lot, which would enable him to step into Marion's position. On the other hand, if it be decided

not be sold under five dollars
per acre.

The 2nd course would be to
refuse to recognize Harris's
claim to this lot on the
ground that the land
permitted himself to take
possession of the same
without protest, and it
being at best a 2nd class
staked claim, because it is
the hands of the land
board to dispose of as they
may think advisable. Under
the circumstances they
would probably be justified
in requiring Harris's claim.
I think it probable Harris
could for a small con-
sideration purchase Harris's
rights to the lot, which
would enable him to slip
into Harris's position. On
the other hand, if it be
desired

decided that Marion be given the ninety days to pay for the land, and also any improvement thereon, it is probable he will not be able to comply therewith.

I would suggest here that Madill be written to, suggesting the advisability of his purchasing Marion's interest in the lot.

I enclose with the memorandum the files in the case, so that whatever action is decided upon a complete record may be kept in your office.

Respectfully submitted.

H. Pearce
Supt.

decided that Harris be given
the right day to pay for
the land, and also any
improvement thereon, it is
probable he will not be able
to comply therewith.

I would suggest that
Harris be written to suggest
ing the advisability of
his purchasing Harris in
trust in the lot.

I enclose with the memo-
randum the files in the
case, so that whatever
action is decided upon a
complete record may be kept
in your office.

Respectfully submitted,

Wm. H. H. H.
Wm. H. H. H.

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24~~unofficial~~Ottawa, 11th March, 1886.

My dear Sir,

In reference to yours of the 14th ultimo, B. 60417, referring to the list of lots enclosed with B. 4346 in your office, dated 20th May last, enclosing application to purchase lots in the parish of Ste. Agathe, I may state that as the recommendations were made below the price fixed by "Order-in-Council", as they were not

H. H. Smith, Esq.,

Stated

Commissioner of
Dominion Lands,
Winnipeg.

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~~Wm. H. Smith~~

Utah, 11th March, 1886.

My dear Sir,

In reference to yours of
 the 1st ultimo, B. 50417, referring
 to the list of lots enclosed
 with B. 4346 in your office
 dated 20th May last, enclosing
 application to purchase lots
 in the parish of St. Agathe,
 I may state that as the record
 descriptions were made before
 the price fixed by the in-
 Council, as they were not
stated

Commissioners of
 Dominion Lands,
 Winnipeg.
 W. H. Smith, Esq.

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stated claims the same can
not be carried into effect.

This subject is at
present engaging the attention
of the Minister, but nothing
definite has been arrived at,
nor is it probable it will
fill the class of the Minister.

Should the opportunity
present itself I will avail my-
self thereof to discuss it
with the Minister.
Yours very truly,

Wm. L. Garrison
[sup.]

staked claims the same cannot be carried into effect.

This subject is at present engaging the attention of the Minister, but nothing definite has been arrived at, nor is it probable it will till the close of the session.

Should the opportunity present itself I will avail myself thereof to discuss it with the Minister.

Yours very truly,

W. Pearce
Sup^y

2596 H.B.

16th March. 6.

Sir

In reference to letter from H.O. of the 2nd of March
H.B. 3266
H.B. 2596 and enclosure thinking you might wish to have my views on this point as a member of the Land Board I have the honor to state that as the object of cancelling land is to promote settlement which object would be defeated if the request that Half Breed scrip granted for land were permitted to be applied purchase the same.

In reference to the point heretofore discussed whether Volunteer scrip should be permitted

H.H. Smith, Esq.
Commr. Dom. Lands.
Winnipeg.

88/782

16th March

22nd March

Sir

In reference to letter from H.O. of the 2nd of March and enclosure thinking you might wish to have my view on this point as a member of the Land Board I have the honor to state that as the object of cancelling land is to promote settlement which object would be defeated if the request that half acre be granted for land were permitted to be applied purchase the same.

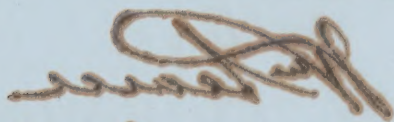
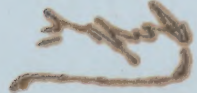
In reference to the point heretofore discussed whether Volunteer ship should be permitted

H. H. Smith, Esq.
Commons House of Commons
Ministerial

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submitted to be applied to
 cancelled bonds I think it
 was decided to allow that
 to be done so far as the
 other price placed on the
 pre-emption portion was paid
 in cash at date of entry.
 All of which is most respectfully
 submitted.
 I have the honor to be

Sir,
 Your obedient servant,

submitted to be applied to
cancelled lands I think it
was decided to allow that
to be done so long as the
extra price placed on the
pre-emption portion was paid
in cash at date of entry.

All of which is most respect-
fully submitted.

I have the honor to be.

Sir,

Your obedient servant,

Wm Pearce

Sup

922

16th March. 6.

106848.

Sir,

I have the honor to enclose herewith copies of H.O. files 106847+106848 which also are files of your office 51725+51726, being a dispute between James Short and Ferdinand Ledret concerning the S¹/₂ L.S. 9, 10, 11+12 of Sec. 1 + S¹/₂ L.S. 9+10 (E. of River) of Sec. 2 in Tp. 45. 1st 3rd.

The facts of the case as disclosed by the files appear to be, James Short a Half Breed who participated in grant in Manitoba, settled here in 1842 and has lived thereon continuously since until

J. H. Smith, Esq.

Commr. Dom. Lands.

Winnipeg.

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10th March.

100848.

Sir,

I have the honor to
 enclose herewith copies of
 H.O. files 100847+100848 which
 also are files of your office
 21725+21726, being a duplicate
 between James Shaw and
 Ferdinand Leber concerning
 the 22.2.10, 11.12 of Dec. 17.2
 2.2.10 (2 of River) of Dec. 2 in 17.2
 W. 3rd.

The facts of the case as
 disclosed by the files appear
 to be James Shaw a half
 breed who participated in
 grant in Manitoba, settled
 here in 1872 and has lived
 thereon continuously since
until

H. Smith Esq.
 Governor's Office
 Winnipeg

until Bill outbreak, since then
 has been with Bill or in Paris.
 testimony. It does not appear
 clear where his improvement
 are, probably on N.E. 2, 3, 4 & 5
 Sec. 1 and 1/2 of T and 8 East of
 River on Section 2, but in ad-
 dition claims the 1/2 of 2 & 3
 immediately to the north, which
 is also claimed by itself. The
 whole claim is one of 20 acres
 and contains about 20 acres
 not a very large claim.
 improvement in all valued
 at about \$800, oak or rather
 his wife that he be allowed
 to travel the upper 10
 chains and his son the lower
 10 presume the son is 18 years
 of age, though the file does
 not disclose. Mrs. that states
 she is the mother of 13 children
two

until Riel outbreak, since then
has been with Riel or in Peni-
tentiary. It does not appear
clear where his improvements
are, probably on $N\frac{1}{2}$ L. S. 5, 6, 7 & 8 of
Sec. 1 and $N\frac{1}{2}$ of 7 and 8 East of
River on section 2, but in ad-
dition claims the $S\frac{1}{2}$ of L. S.
immediately to the north, which
is also claimed by Sedret. The
whole claim is one of 20 chains
and contains about 210 acres,
not a very large claim.
Improvements in all valued
at about \$600, asks or rather
his wife that he be allowed
to homestead the upper 10
chains and his son the lower.
I presume the son is 18 years
of age, though the file does
not disclose. Mrs Short states
she is the mother of 13 children

Two

922

two of them being upwards of 18 years of age.

Ledret is a French Canadian came to the country in 1874, has been working at the R. C. Mission and teaching on the Indian Reserve, a good deal of the time since.

Obtained entry in March 1883 to N.E. 4 25-44. 280. about 6 miles west of this, left that in November 1883, having lived thereon 4 years and sold his improvements on same for 15 bushels of barley and 1 sack of flour, worth probably at time of sale \$20⁰⁰, has never been naturalized consequently cannot receive patent, stated at time of visit of Judge Rouleau to Prince Albert he could not cross river to make his application for naturalization.

His

two of them being upwards of
18 years of age.

Lebel is a French Canadian

came to the country in 1874
has been working at the D.D.
mission and teaching on
the Indian Reserve, a good
deal of the time since.

obtained entry in March 1881
to N.E. 25-44-20. about 6 miles

west of this, left that in
November 1881, having lived
there 4 years and sold his
improvement on same for
15 bushels of barley and 1 sack
of flour, worth probably at
time of sale \$20. has never
been naturalized correspondingly
cannot receive patent, stated
at time of visit of Judge Ross
to Prince Albert he could not
cross river to make his applica-
tion for naturalization.

this

his improvements on this
claim he values at \$1000 which
are high enough.

As far as bearing any right
to the land claimed by that
would be recovered it be not

recovered, but I imagine
about the really want and on

which his improvements are
are the south half of S. 1 & 2 of
Section 2 and if that is correct

on filing an application
showing his former entry
and asking permission to
enter for this and also S. 1 & 2.

S. 1 & 2 of Section 1, it be granted.
I have not been received for his

improvements on former entry
I think it was evident he was
not entitled to patent there.

The report should be submitted
to ascertain exactly where
his present claim is located.

perhaps

His improvements on this claim he values at \$75⁰⁰ which are high enough.

So far as ~~having~~ having any right to the land claimed by Shot I would recommend it be not recognized, but I imagine what he really wants and on which his improvements are are the south half of L. 6. 142 of Section 2 and if that is correct on filing an application abandoning his former entry and asking permission to enter for this and also S. 1/2 L. 6. 12, 3+4 of Section 1, it be granted. ~~provided that he be entitled to a claim~~ From what he received for his improvements on former entry I think it was evident he was not entitled to patent thereto. The Agent should be instructed to ascertain exactly where his present claim is located.

Perhaps

Perhaps Mr Duck can state.

If this meets with your approval please instruct Agent and notify H.O. Also if my supposition of location of Ladret's claim is correct, on ascertaining same, the H.O, and your office be advised so that it can be entered correctly.

I have the honor to be.

Sir.

Your obedient servant.

J. Pearce
Capt

perhaps the book can state
 if this meets with your ap-
 proval please instruct Agent
 and notify H.O. also if any
 supposition of location of
 Tubert's claim is correct, or
 ascertaining same, the H.O.
 and your office be advised
 so that it can be entered
 correctly.

I have the honor to be

Sir

Yours obedient servant

Wm. Lawrence
Agent

889

Ottawa, 16th March, 1886.

Memorandum.

In reference to the case of Mr. ~~William F. Farnham~~ ~~Land's Agent~~ Clink, which we discussed on the evening of the 9th, now that he has ceased to be a Government official, I see no objection to granting him entry as he requests that is ordinary homestead entry; He would have been granted it at the time the first report was made only he was a Government official and could not become a homesteader. Besides it was felt that he as an official had taken an active part

The Hon. in

Thomas White
Minister of the Interior.

923

in reference to this land,
which he should have
arrived at. As to his brother's
claim, he at the time the
report was made was a
homesteader in Dakota, this
land had been rendered
valuable through no action of
Clinker solely through the
action of the Government,
and there was no reason why
Mr Clinker should reap the
benefit, therefore ordinary home-
stead conditions were not
granted. The land is
worth all that was placed
on it, in fact far more.
As to the 80 acres which Mr
Clinker says lies between his
and his brother's claim, this
has been retained to satisfy
any claims which may
arise in the Battleford Dis-
trict. In settling these
claims

in reference to this land,
 which he should have
 received. As to his brother's
 claim, he at the time the
 report was made was a
 homesteader in Dakota, this
 land had been surveyed
 before the passage of a
 claim act, through the
 action of the Government,
 and there was no reason why
 the claim should keep the
 benefit, therefore ordinary laws
 that conditions were not
 granted. The land is
 worth all that was placed
 on it, in fact far more.
 As to the so called claim the
 claim says his brother's
 and his brother's claim, this
 has been retained to satisfy
 any claims which may
 arise in the future. His
 first. In settling these
 claims

923

claims it frequently happens that lands have to be granted elsewhere to satisfy them. If, however, after all these land matters are finally adjusted, this 80 acres remain at the disposal of the Government, I see no objection to selling it to Clink at its fair market value. It is more valuable to them than to anybody else particularly in regard to fences to which it alludes.

As to the Quinn matter it was purely a grab game between two officials of the Government to secure this quarter section of land. Clink is and has been a conspicuous land grabber in this vicinity and his denial that Quinn had any interest in these improvements is

claiming it frequently happens
that lands have to be granted
elsewhere to satisfy them.
If, however, after all these
hard matters are finally
adjusted, this so soon remains
at the disposal of the Government
then, I see no objection to
selling it to India at its fair
market value. It is more
desirable to them than to
anybody else particularly in
regard to fences to which it
belongs.

As to the Prime Minister
it has surely a great game
between two officials of the
Government to secure this
greater section of land.
I think it and has been
a conspicuous land grant
in this vicinity and his
belief that Prime Minister
was interested in these improvements
is

923

is not borne out by the evidence furnished me at the investigation. In fact Clinch had told people that this claim was Quinn's. If Clinch has not paid him for the improvements he did thereon, that is a matter which can be settled between him and Quinn's representatives, he need not look to the Government to decide it all of which is,

Respectfully submitted,

W. Pearce

is not done out of the evidence
 furnished me at the instant
 of the fact which has
 told people that the claim
 was genuine. If I think
 has not paid him for the
 improvements he did there,
 that is a matter which can
 be settled between him
 and his representative,
 he need not look to the
 Government to decide it
 all of which is,
 respectfully submitted,

Wm. Lawrence

924

890

9th March, 6.

62709.

Sir,

In reference to the application forwarded by you on behalf of J^m Stafford, J^r, for Homestead entry for that part of the N. $\frac{1}{2}$ 12, lying East of Belly River, in Township 9, Range 22, West 4th, and also of that of J^m Stafford, ~~J^r~~ to Homestead the N. $\frac{1}{2}$ of the S. $\frac{1}{2}$ 12, lying East of Belly River in same Township, over which we have had some conversation, and to make the file complete, it is advisable the matter should be put on record, hence this

C. A. Magrath, Esq.,

D. L. S.

Bylmer,

aue.

Letter.

of the
of the

in reference to the application
forwarded by you on behalf
of the "Stafford" for some
dead water for that part of
the N. W. 1/4, being part of the
River, in Township 4, Range 22,
West 4, and also of that of
the "Stafford" to the N. W. 1/4, being
part of the N. W. 1/4, being
Township, over which we have
had some conversation, and
to make the file complete, it
is advisable the matter should
be put on record, hence this
letter.

C. A. Magrath, Esq.
P. O. 22707
St. Louis,
Mo.

188

letter.
 As you are behalf of the
 House that case and investigation
 Company and religious are right
 to the same appears for by
 the House. After it is done
 the Government free to dispose
 of them as may be deemed
 advisable.

I have the honor, therefore
 by the direction of the Minister
 to inform you that Mr. Hoffmann
 will be permitted to demonstrate
 either the 1/2 or 2 1/2 of that
 portion of the 1/2 of Section 12,
 Spring East of Kelly River, in
 Township 7, Range 22, N. 4
 and he except the other
 half of said portion of the
 1/2 of Sec. 12. From his
 statement he has put in but
 those portions mentioned.

J

letter.

As you on behalf of The North West Coal and Navigation Company relinquish all rights to the lands applied for by the Messrs. Stafford, it leaves the Government free to dispose of them as may be deemed advisable.

I have the honor, therefore, by the direction of the Minister, to inform you that Dr. Stafford, Junr. will be permitted to Homestead either the N. $\frac{1}{2}$ or S. $\frac{1}{2}$ of that portion of the N. $\frac{1}{2}$ of Section 12, lying East of Belly River, in Township 9, Range 22, N. 4th and Pre-empt the other half of said portion of the N. $\frac{1}{2}$ of Sec. 12. From his statement he has put in but three months residence.

I

924

If, however, he has been residing for the past year at least six months within two miles of this claim, and has ten acres broken, he could, under the amendments of 1884, count one year's residence.

Wm. Stafford, Sr., may be permitted to Homestead the portion applied for. He has put in no residence, but if he has ten acres of breaking, he could also claim one year's residence, if residing within two miles of the claim for six months of the past year.

You will observe under that clause it requires 40 acres to be broken and prepared for crop, bona fide, a habitable house erected and live three months bona fide therein before

Now the bona fide person
 have erected and live there
 out, bona fide, a habitable
 be taken and prepared for
 claim it requires to own to
 I have well shown under that
 year.
 for six months of the past
 within two miles of the claim
 years residence, if residing
 he could also claim and
 he has been a case of breaking
 put in no residence, but if
 position applied for. He has
 permitted to surrender the
 J. H. Hafford, Jr., may be
 residence.
 of 1864, cannot one year
 he could, under the amendment
 and has been a case broken,
 two miles of this claim,
 at least six months within
 residing for the past year
 If, however, he has been

before party can apply for
patent, and this may not
be practicable in which case
there is no other alternative
but to decide upon it for or
least six months in each

year.
I think it advisable for
thou to direct their attention
to this so that they may
fully understand the require-
ments of the Government
provisions of the Dominion
Law Act.

There is one point in
this to which I would refer
direct your attention and
that is to what extent, grant-
ing there were entry would
affect any and all allowances
which your Company desire
to have given, and what
ever may be your scheme
it might be advisable to
obtain

before party can apply for patent, and this may not be practicable, in which case there is no other alternative but to reside upon it for at least six months in each year.

I think it advisable you should direct their attention to this, so that they may fully understand the requirements of the Homestead provisions of the Dominion Lands Act.

There is one point in this to which I would beg to direct your attention and that is to what extent, granting these men entry would affect any road allowances which your Company desire to have closed, and whatever may be your scheme, it might be advisable to obtain

obtain their consent thereto.

It may be that this question would not be affected by granting this entry; but as that you are the best Judge, and if you object to entry being granted, please notify this Department forthwith.

As these men are, I understand, in the employ of your Company no doubt you can readily arrange this, and you will please notify them of this action.

An application severally by them, over their signatures, either to the Minister or the Land Board requesting any party whom they may designate to make entry for them. At Calgary the necessary authority will be

The Secretary will be
 for them. At College
 designate to make entry
 and party before they may
 and board a register of
 either to the Minister or the
 of them, over their signatures.
 The application is received
 them of this action.
 and you will please notify
 can readily arrange this.
 Company in the company of your
 stand, in the company of your
 to there were one, under
 went forthwith.
 please notify this report.
 to entry being granted
 of the, and if you wish
 of that you are the best
 by granting this entry, but
 question would not be affected
 It may be that this
 obtain their consent thereto.

484

be named, thereby associating
 the experience of a trip
 them to that point.
 I have the honor to be,
 Sir,
 Yours obedient servant,

Wm. L. Garrison
 Esq.

be issued, thereby obviating
the expense of a trip by
them to that point.

I have the honor to be,

Sir,

Your obedient servant,

Wm. H. H. H.

Capt.

891
9th March, 6.

Sir,
I have the honor to enclose
herewith copies of declarations
of William Stafford Senior
and William Stafford Junior
for record in your office.

I have the honor to be,

Sir,
Your obedient servant,

Superintendent of Mines.

Amos Rowe, Esq.,
Agent of Dominion Lands,
Calgary,
Alberta.

8/1

March 10

Sir,
I have the honor to enclose
herewith copies of declaration
of William Stafford Junior
and William Stafford Junior
for record in your office.
I have the honor to be,
Sir,
Your obedient servant,

Superintendent of Mines.

James Rose, Esq.,
Agent of Dominion Lands,
Calgary,
Alberta.

892

13th March.

39,535

Sir,

I have the honor to enclose herewith file of your office N^o 39535 having reference to the claim of the Hudson Bay Co. to lot N^o 23 St. Albert.

It would appear from the evidence of Mr Richard Gardisty on the file that this lot or at least a portion of it was occupied by the Hudson Bay Co. at the time of the transfer.

Under the "deed of surrender" that Company were entitled to select 50000 acres around their posts, as per

Schedule

H. H. Smith, Esq,
Commissioner of
Dominion Lands.
Winnipeg, Man.

888

13-10-18

29-2-28

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 13th inst. in relation to the claim of the Hudson Bay Co. to lot 23.

It would appear from the evidence of Mr. Richard Hartley on the file that this lot or at least a portion of it was occupied by the Hudson Bay Co. at the time of the transfer.

Under the "Act of Survey" that company were entitled to select 5000 acres around this point as per

subscribed

A. H. Smith, Esq.
Commissioner of
Dominion Lands.
Ottawa, Ont.
Respectfully,
Yours,
J. H. Smith

Schedule referred to in said
 deed. In 1800 acres are
 placed for St. Albans. The
 1000 acres has been patented
 to said company and has
 some few miles to the north of
 this lot on which their part
 was then located.

On the 19th of December 1885
 an order in Council was
 passed to carry into effect
 an agreement entered into
 between J. P. G. and the
 Commissioners of the Hudson
 Bay Co. and the Minister of
 the Interior by which the
 2000 acres of land to this
 corporation was satisfied
 under these circumstances.

It is stated that this corporation is
 not entitled to a free patent
 for this lot but have date

schedule referred to in said deed. In it 1000 acres are placed for St. Albert post. The 1000 acres has been patented to said Company and lies some few miles to the north of this lot on which their post was then located.

On the 19th of December 1885, an Order in Council was passed to carry into effect an agreement entered into between C. J. Brydges Land Commissioner of the Hudson Bay Co., and the Minister of the Interior by which the 50000 acres of land to this corporation was satisfied.

Under these circumstances this Corporation is not entitled to a free patent for this lot but from date

I

926

of occupation recommend it
be sold to the Hudson Bay
Co., at \$1⁰⁰ per acre.

If this meets with your
approval please instruct
Edmonton Agent. notify
Mr. C. J. Brydges Land Commis-
sioner of that Company and
advise H. O.

I have the honor to be,
Sir,

Your obedient servant

W. Pearce
Supt

of occupation recommended it
be sold to the Hudson Bay
Co. at \$12 per acre.

If this meets with your
approval please indicate
thereon. Very respectfully
Yours
H. O. H. O.

I have the honor to be
Sir

Your obedient servant

Wm. H. H. H.

927

9th March, 6.

62709 No. 1.

Sir,

I have the honor to enclose herewith for your information copy of a letter sent this day to Mr C. A. Magrath Land Agent for the North West Coal and Navigation Company having reference to the application by William Stafford Esq., and Jnr., to obtain entry to portions of Section 12, Township 9, Range 22 West 4th copies of declarations of said Staffords also enclosed. A duplicate of

H. A. Smith, Esq.,
 Commissioner of
 Dominion Lands,
 Winnipeg
 Man.

These

2nd March 1861

22707 101

I have the honor to enclose
 herewith for your information
 a copy of a letter sent this day
 to Mr. C. C. Chapman and
 Agent for the North West Co
 and Navigational Company
 having reference to the application
 of William Stafford for, and
 for, to obtain entry to position
 of Section 12, Township 9,
 Range 22 West 4th North of
 the location of said Stafford
 also enclosed. A duplicate of
 these

W. D. Smith, Esq.
 Commissioner of
 Dominion Lands,
 Ottawa.

Your obedient servant,
 Sir,
 I have the honor to be
 very dear friend Agent Calgary.
 Your observations has this

These declarations has this
day been sent Agent Calgary.

I have the honor to be,

Sir,

Your obedient servant,

Ottawa, 4th March, 1886.

893 673

Memorandum
on Manitoba Act file 6058.

On 2nd Oct. 1875 Robt. Patterson
files an application for lot 253
St. Agathe, states it has a frontage
of 10 chains. He says he owns
the lot on South side. That would
be lot 251. The lot on North side
is still vacant. He makes af-
fidavit that Pierre Parenteau
resided on the lot from 1866 to
June 1874 when he sold it to
applicant. That he had a house
and cultivated a garden.

On same date an affidavit is
filed to same effect from one
Adam Hlyn. he says that the

lot

lot is a 10 chain lot. One Meqil Parenteau makes affidavit to same effect. There is also on the file a deed dated 23rd July, 1878. quit claim. Pierre Parenteau to Robt. Patterson. consideration. One dollar (\$1). This deed is for lot 853.

There is also on the file an affidavit dated 22nd November, 1878 by Pierre Parenteau, in which he claims a lot 24 chains in width and his neighbour to the south is Robert Lawrence and he has nobody on the north side of him. He says he has been two (2) years on it. There is a house and other buildings and cultivated land on it.

This is approved by Mr. Shaffer on 4th November, 1884. whether that affidavit of Pierre Parenteau was then attached to the

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 -trubiffis derant maitnerot
 no add di wert .-teffe emad at
 juluf ^{br} & bilab beeb o epp et
 Inerot eruit .-mink-timp .-8781
 .-rebidra .-maittlot .-tlot at mor.
 beeb dilt .-(**) koltok ero .-maito
 .-o o o fat saf di

no epp et no add di wert
 belmoot ^{br} & bilab -trubiffis
 ni .-maitnerot eruit pt & 781
 mink + fat o dink et daiter
 i .-rebidra dilt bmo dilt ni
 .-maittlot .-tlot di mait et
 dilt et no julufat dilt et bmo
 dilt et dilt et .-mait fo dilt
 di wert .-ti no dilt (i) out mait
 dilt dilt dilt bmo dilt o
 .-ti no bmo dilt dilt bmo
 dilt pt dilt dilt di dilt
 #881, belmoot + no dilt
 eruit fo -trubiffis dilt dilt
 at belmoot mait dilt maitnerot
 et

The file is doubtful. There is nothing to show that it was, or when it was attached, it might have been only a month ago.

Patent issued for this lot on 25th February 1885 as a Manitoba Act claim. Scrip has not issued, why I don't know. I presume it would have, had Patterson applied for it.

The next application of any sort on file, is in January '80 in which Patterson makes the following affidavit. That in 1874 he purchased from Pierre Parenteau 24 chains of land now corresponding to lots 353 and 355 St. Agathe and paid \$150 for it. That Parenteau was in full possession of this land for many years. That he was informed at the Dominion Land Office Winnipeg that Parenteau's

di vett - luffelval di luff etz
 se, low zi tott wad a pmitat
 tipint, betwitt low zi metu
 .opp dman a jure met vett
 no tot ditz sof beuddi tintot
 .imant a do 2821, jurellet 2828
 ter dot jure .mille to vett
 b .want tint b jure, beuddi
 tot, tot blou zi milled
 .zi sof beiddo radittot
 jure so .milledo jure etz
 2821, jurellet ni di, luff no .tot
 et dman radittot ditz ni
 ni tott .tintot pmitat
 vett maff bedortet et 2821
 tot so dman 2821 milledo
 2821 tot a pmitat was
 bidd bmo etto .2821 bmo
 low milledo tot .zi sof 2821
 tot ditz so milledo luff ni
 low et tott .draz jurellet
 milledo et to bmo
 tott pmitat vett .mott
 milledo

928

Parenteau's claim was a good one. and for that reason he purchased it.

That four (4) years after he purchased he applied for his patent - placing his papers in the hands of the Dominion Land Agent. Six (6) months afterwards he was told that his papers were not complete, tho' the Agent at the time he filed them told him they were. It was then possible for him to obtain further evidence and to this date he states that he has received no acknowledgment of his application for lot 355. he doesn't say anything about lot 358.

From Pierre Parenteau's affidavit dated November, 1872 it would appear that he had no claim there or had settled thereon till 1871 therefore no
claim

claim under the Manitoba Act. Even assuming he settled before the transfer judging from his statement as to improvements the claim has been liberally treated by granting him one (1) lot - a 10 chain lot - even tho' he claimed 24. By a minute of the Council of Assiniboia all claims of this nature were curtailed to 12 chains.

Further, Mr Patterson might be told, that in his application, dated October, 1875, he applied for but one lot. The deed he filed from Parenteau to himself is dated July, 1878. Tho' in his affidavit dated 7th January, '86 he states that at that date it was impossible to obtain Parenteau as he had left the country. That that was the reason he was unable to obtain the

evidence

evidence the Winnipeg Agent asked for.

Taking all the evidence as disclosed by the file I think that Mr. Patterson has been very liberally treated. If it were closely looked into he might not be found as being entitled to a patent under M.A. Act at all and that the best that could be done would be to sell him lot 253 at \$1.00 per acre.

Mr. Patterson's memory has evidently been at fault regarding this matter, or else his own evidence and that of his corroborating witnesses is unreliable. I mean the evidence dated in 1875.

Respectfully submitted,

Wm. J. Fox
Sept 27

Inepel peginniul est eenebue

.. say better

do comibir en el primer

kind to help me get better
 you must not forget me now

even 7i fi - bēlōvō jellōvōlit

It is a very good thing
to have a good friend who is
always with you.

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blue hour that is that some are

mit led. al. sel. blauer erab. sel.

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John W. Alden

104955 5020

104959 5026

104957 5021

Chadwick is the name of the late Rev. Mr. W. Chadwick, who was
born in 1811, and died in 1881. He was a member of the
Church of England, and was a very good man.

He was a member of the Church of England, and was a very good man.
He was a member of the Church of England, and was a very good man.
He was a member of the Church of England, and was a very good man.

He was a member of the Church of England, and was a very good man.
He was a member of the Church of England, and was a very good man.

He was a member of the Church of England, and was a very good man.
He was a member of the Church of England, and was a very good man.
He was a member of the Church of England, and was a very good man.

Mo. t. 2

1049-50-51 1049-50-51 George W. Donaghy 1049-50-51 George W. Donaghy
1049-50-51 1049-50-51 Andrew Donaghy 1049-50-51 Andrew Donaghy
1049-50-51 1049-50-51 David W. Donaghy 1049-50-51 David W. Donaghy

4 1/2 acres in 1879 4 1/2 acres
25 1/2 from 1879 to date 25 1/2
25 between 1879 & 1885 25

1049-50-51 1049-50-51 from 1885 to date
1049-50-51 1049-50-51 from 1885 to date
1049-50-51 1049-50-51 from 1885 to date

3500 3500 3500 3500 3500 3500 3500 3500 3500 3500
400 400 400 400 400 400 400 400 400 400
1500 1500 1500 1500 1500 1500 1500 1500 1500 1500
4 1/2 4 1/2 4 1/2 4 1/2 4 1/2 4 1/2 4 1/2 4 1/2 4 1/2
25 25 25 25 25 25 25 25 25 25
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By present claimant

Sp. d. 1901

England

1902 1887 1891 1901

104954 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

1000

104955 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

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104956 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

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1000

104958 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

1000

104959 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

1000

104960 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

1000

104961 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

1000

104962 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

1000

104963 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

1000

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104966 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

1000

104967 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

1000

104968 500238 *Proserpinaca* *Proserpinaca* *Proserpinaca*

1000

929

5th March,

52846

Sir,

I have the honor to acknowledge the receipt of yours of the 25th February $\frac{\text{Ref. } 52846}{\text{B. } 6532}$ having reference to a protest from Alex. Mc Dougall of the Parish of St. Louis de Languevin being granted only some 106 acres as a Homestead and he states he is entitled to 160 acres.

In reply I may state that Mr. Mc Dougall and others sealed there subsequent to the survey thereof. They might like all other settlers in the country have entered any quarter

H. H. Smith, Esq.,
Commissioner of
Dominion Lands,
Winnipeg

Ad 4



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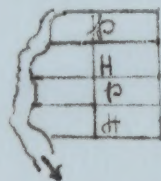
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929

quarter of an even section and had they settled ^{on} one which was a fractional $\frac{1}{4}$ section they would have been confined to it as a Homestead though area very much less than Mr. McLaughlin is granted. The best that has ever been done when applicants entered for a fractional $\frac{1}{4}$ section and a full one in rear is to divide the half section so as to give Homestead and Pre-emption entry of about equal area thus



These parties asked that 10 chain lots be granted them which has been done, and if a party required more than one lot the practice invariably has been when these lots did not exceed 160 acres in area to grant one as a Homestead the other as a

Pre-emption

929

Pre-emption. The only exception I know is when area of lot settled upon exceeds 160 acres or party had settled in advance of survey and it was necessary to give him two lots to cover his improvements. You will, I think, find Boyer comes within one or other of those classes. If he does not what has been granted him has been through inadvertence and it does not correct an error to repeat it. I find one Baptiste Boyer has made entry for lot 6 and N. 1/2 7 in St. Laurent. Lot 6 contained more than 190 acres, he received 160 acres as a Homestead, balance with N. 1/2 7 as a Pre-emption I think likely that is the case alluded to.

In Mr. McLaughlin's house,
either with himself or his
neighbor

noilqne pto et. noilqne. et

-tel jo vero nter a uenat l

so vero oi abepte roqu bellit

jo ronebas in bellit bot pteat

al pteatet eou. le bon pteat

iet vero al etat out mit sup

l. lue uoy. almeuerepmi

intitue etna repot bny, knit

je. eedee uoyt jo etto ro ro

knop met et. lortu-tat eob et

boni Apuact met et mit be

lortu-tat eob. le bon emiler

bny l. -le lortu et vero no

ebno et repot ililpote eto

le in 2 p.m boni etat of pteat

uoyt lortu-tat et. lortu-tat

oi bny et, vero oi mit

ebno, bny et et vero

noilqne. et et 2 p.m. et

et et et et et et et

et et et et et et et

et et et et et et et

et et et et et et et

et et et

neighbor Boucher this point was raised and discussed when I explained to him that one point gained in surveying was to make the good sell the bad land and when parties settled subsequent to survey they had to take it as surveyed. That a claim to pick out 160 acres choice along the river as a free gift and the result would be the pre-empted portion would not for a long time be paid for if ever, that generally speaking these portions could only be utilized in connection with river front. That as a rule 50 acres laid out as these people have been granted was more valuable than the average 160 acres if they had been confined to survey as made and that before they settled. All in St Louis de

Langevin

929

Langwin who claimed 10 chains
River lots have been confined to
these except in the westerly part
of this Township where to confine
one to ¹⁰ chains would grant a
claim of less than 80 acres as it
was felt particularly desirable
not to extend this River lot
system into the Township to
the south.

If however you should con-
sider these people intitled to
160 acres free I would suggest
either of two ways.

- 1st Extend their lots in rear
to make up about 160 acres or
- 2nd Tell them to make Home-
stead entry for 160 acres and
the balance of the 20 chains can
be sold them, say one-quarter
cash at date of entry, balance
in one, two and three years
with interest at 6% per annum

the

The payments to be forfeited if Homestead entry is forfeited and if applicant be entitled to his patent it will be issued at once on paying amount due.

The great majority of these settlers do not really need a Pre-emption. With 40% 80 acres is more than they actually require, and were it not for certain mischief makers at Prince Albert these parties would take the lands as they were granted and as they asked. Without exception everyone I met seemed satisfied with the lands as allotted after the foregoing explanation had been given.

I think if you instruct Agent to give these parties the option of taking the lands as allotted or by the last alternative, namely paying the cash for
excess

929

Excess over 100 acres at \$2.00 per acre it will be found all or nearly all will take it as apportioned to them, and by granting the alternative the grumbler will be prevented raising the cry of another grievance, particularly as many of them who are thus affected within a year will be entitled to their patents and most of them have asked for an extension of one year to make their entries. Such being the case no hardship is inflicted in asking that excess in area of lot be paid at date of entry.

I have the honor to be,

Sir,

Your obedient servant,

Wm. L. Linn
Capt.

[illegible]

895

unofficialOttawa, 11th March, 1886.

My dear Doctor,

In reference to the papers
you left in my hands the
other day concerning the
claims of George A. Wilson and
Charlotte Wilson to patent for
the South half of Section 6,
Township 12, Range 29, West
of the First Meridian I have
gone through the papers and
for convenience will make

G^r Wilson, M. P.,

House of Commons,

Ottawa.

comments

W. J. Wilson

Utah, 11th March, 1886.

My dear Doctor,

In reference to the papers
you left in my hands the
other day concerning the
claims of George W. Wilson and
Granville Wilson to patent for
the Lamb's half of Section 6,
Township 12, Range 2d, West
of the First Meridian I have
gone through the papers and
for convenience will make
comment

W. J. Wilson, M. D.
House of Commons.
Utah.

930

2.

Comments on each separately.
 The will first take up the case
 of George D. Wilson.

He appears to have
 made entry on 7th September,
 '82, commenced residence
 the day preceding, during
 the first year he was absent
 1 1/2 months. The next year
 he stayed away five and a
 half, the third year he was
 he remained away six; but
 from September to April is
 seven and six months. He
 has now 8 years under culture
 now; and has a quantity

8

Comments on each separately.
We will first take up the case
of George H. Wilson.

He appears to have
made entry on 7th September,
'82, commenced residence
the May preceding, during
the first year he was absent
6 1/2 months. The next year
he stayed away five and a
half, the third year he states
he remained away six; but
from September to April is
seven not six months. He
has now 8 acres under cultiva-
tion; and he has a shanty
8'

3.
8' by 10' which was not built
till June '84, what he lived
in preceding that date he
does not state, he has a
sod stable 10' by 12'.

Putting his cultivation
at \$5.00 per acre and the stable
and shanty at probably their
full valuation, the whole
value of his improvements
would not exceed \$100.

It would appear that
the Commissioner had refused
to recommend his application
for patent and he appears to
consider that he has been hardly
used in the matter. You,
Doctor, are one of the framers of
the present Dominion Lands
Act,

2-

at \$2.50 per acre and the state
and should at present pay their
full valuation, the whole
value of his improvements
would not exceed \$100.
It would appear that
the Commissioner had refused
to recommend his application
for patent and he appears to
consider that he has been hardly
used in the matter. Now,
Doctor, one of the friends of
the present Commissioner says,
that

not stable 10, by 12.
has not state, he has a
in preceding that date he
the June '84, what he does
8, by 10, which was not built

030

But, and it is unnecessary to
 remark upon that the effect
 of the Amendment provisions of
 the Provision Laws Act is
 to settle the country with respect
 to agricultural but by these things
 a little valuable evidence.

and the most necessary improve-
 ment to obtain patents for the
 land entered. They have
 been all their neighbors besides
~~the same and further evidence is required~~
 their valuable and I think
 if you were in the Commission
 place as in that of any other
 official in this Department
 who would have to pass and
 such claims as this matter
 there are circumstances con-
 siderable which are
But

Act, and it is unnecessary to remind you that the object of the Homestead provision of the Dominion Lands Act is to settle the country with thrifty agriculturists not by men doing a little colorable residence and the most meagre improvement to obtain patents for the land entered. They hold them till their neighbors render them ~~valuable~~ ^{valuable by doing any fruitful residence or improvement.} and I think if you were in the Commissioner's place or in that of any other official in this Department who would have to pass any such claims as this unless there are circumstances connected therewith which are not

930

not brought out in this case,
you would also refuse.

As to the matter of residence,
being allowed through service
in the late rebellion in the
Northwest that of course will
be allowed on furnishing
from the Department of
Militia the necessary certificate.
I would refer you to Section 33-46,
Victoria, Chapter 19 and its
subsections, as to conditions
under which homesteads may
be acquired.

I enclose with this the
original papers and I need
not assure you that if I
felt there were grounds for
granting this man's request,

granted this man's request
 felt there was ground for
 not sure you that if I
 original paper and I need
 connect with this the
 be required.
 under which documents they
 subscription, as to conditions
 Victoria, Chapter 19 and also
 I would refer you to sections 33-46
 within the necessary certificate
 from the Department of
 be allowed on furnishing of
 Hartman that of course will
 in the late rebellion in the
 being allowed through service
 as to the matter of residence
 you would also refer.
 not brought out in this case.

080

I would be very too happy to
 advocate it.
 I have already referred to the
 case of Henrietta Wilson, who
 appears to have made entry
 on September the 7th 1882,
 and commenced to reside
 upon it on the 28th June
 preceding. He states he
 has been about six months
 and a half each winter
visiting friends he has a
 house to let and the area
 under cultivation. It is
 probable that \$100 would be
 a high valuation for all
 his improvements putting
 the bearing at \$2.00 an acre
 the five Medical Certificates
 of

6.

I would be only too happy to advocate it.

Secondly referring to the case of Harriott Wilson, he appears to have made entry on September the 7th 1882, and commenced to reside upon it on the 28th June preceding. He states he has been absent six months and a half each winter visiting friends he has a house 10 by 12 and six acres under cultivation. It is probable that \$60⁰⁰ would be a high valuation for all his improvements putting the breaking at \$5⁰⁰ an acre. He files Medical Certificate of

of

930

of ill health; but you will notice under subsection 2, of section 34 of the Act above quoted that although that is sufficient justification to warrant his title to the land not being cancelled, such leave of absence cannot be counted as residence "but the time so granted shall not count as residence."

On looking over the letters which he sent you in connection with his claim, I find that on the 2nd April '83, owing to his ill health he is given to the 15th of the following May to go into residence. On the 22nd May,

'84

of his health; but your will notice
under the section 2, of section 34
of the Act above quoted that
although that is sufficient
justification to warrant his
letter to the land not being
cancelled, such case of
absence cannot be counted
as residence "but the time
so granted shall not count
as residence."

The looking over the
letter which he sent you in
connection with his claim
I find that on the 2nd April
'83, owing to his ill health
he is given to the 10th of the
following May to go into
residence. On the 23rd May.

valuable improvements
 significant and when
 reported the cost of the
 to various circumstances
 some cases, where raised
 I may state that in
 law if they see fit
 Parliament to change the
 residence, it will with
 such absence to court as
 Commissioners can permit
 whether the Minister has
 given good service, but
 that every latitude has been
 following. For this has been
 extended to the first frame
 of the year '80 his time was
 the first of June, and on the
 of his time is extended till

8.

'84 his time is extended till the first of June, and on the 24th April '85 his time was extended to the first June following. You will thus see that every latitude has been given your friend, ~~but~~ neither the Minister nor Commissioner can permit such absence to count as residence, it rests with Parliament to change the law if they see fit.

I may state that in some cases where owing to unforeseen circumstances beyond the control of the applicant and when valuable improvements have

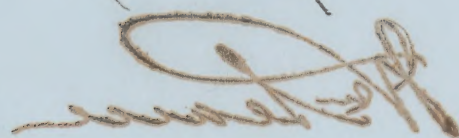
have been made on the land,
and it was utterly impossible
for the claimant to fulfil
homestead conditions. The
entries have been cancelled
and the land sold, the
entry ~~made~~, so that he will
not lose his outlay.

I do not however think
that these claims come within
that class. If, however, you
wish this matter to be referred
back again to the Commissioner
or to the Minister or to his
Deputy or to all of them,
on the request from you to
that effect, I shall be most
happy to do so.

I may state in
conclusion

have been made on the land
 and it was utterly impossible
 for the Government to supply
 the most essential conditions the
 natives have been concerned
 and the land sold, the
 only thing to that he has
 not see his outlay.
 I do not however think
 that these claims come within
 that class. If however, you
 wish this matter to be referred
 back again to the Commission
 of the Privileges as to his
 right as to one of them,
 or the request from you to
 that effect, I shall be most
 happy to do so.
 I may state in
 conclusion

conclusion that in my opinion
 the greatest drawback to the
 movement for today in the
 way of good will settlements
 and improvement in the
 character of this class.
 Yours very truly,



^{16.}
conclusion that in my opinion
the greatest drawback the
Northwest has today in the
way of bona fide settlements
and improvements is through
homesteads of this class.

Yours very truly,

W. Pearce

Handwritten signature and scribbles in blue ink.

Handwritten word in blue ink.

Handwritten text in blue ink, possibly a date or reference number.

Handwritten text in blue ink, possibly a name or title.

Handwritten word in blue ink.

Handwritten text in blue ink, possibly a date or reference number.

931

106830 51793 130 chains 1366 3 1645 R. 1, 203. Octave Rognier

1848
1879 19/10/80 none

none

none

106830 51793 never lived on land

none none none

931

107

To the Honorable
 the Senate of the
 State of New York
 in Session assembled
 at the City of Albany
 on the 1st day of
 January 1831
 I have the honor
 to acknowledge
 the receipt of your
 letter of the 28th
 inst. in relation
 to the petition
 of the Trustees
 of the Dutch
 Reformed Church
 in the City of
 Albany for the
 purchase of a
 lot of land for
 the purpose of
 erecting a
 church building
 on the site of
 the old Dutch
 Reformed Church
 in the City of
 Albany.

and I have the honor
 to inform you
 that the Senate
 has passed a
 resolution in
 relation to the
 petition of the
 Trustees of the
 Dutch Reformed
 Church in the
 City of Albany
 for the purchase
 of a lot of land
 for the purpose
 of erecting a
 church building
 on the site of
 the old Dutch
 Reformed Church
 in the City of
 Albany.

APR 17 1831

J. B. Van Hook
 Secy.

five in a bunch from
with one above
two winter

Francis Fiddler, states that 14 Sarantean tried to
house and lived on claim on 1887-88. Paragon
is now a refugee on account of his participation in the
rebellion & not open.

10684951724

Statement made by Augustine Demond (widow)
The house stable & fencing were all burnt by Genl. Middleton's troops
on the 1st. Edward Reed's wife. Husband died about 18 March 1888.
asks that statement may come to her in order to raise her family.

10684051724

This statement is made by Louise Selendre. Demond and
family are now refuge in Montana. he has another claim back from
the river. thinks they received scrip in Manitoba had another claim
back from river. Does not know whether he has abandoned it or not.
Statement made by Louise Selendre "brothers" that
Maise Carriere is now a refugee in Montana.

10684551724

10684451724

Grant entry to 52 as re-
quested.

Several Carriere claims
2 1/2 of these \$8 neither
appear to be very pro-
gressive settlers. Grant
Carriere entry to 52 of
these \$8.

Am. Co.
R. H. Pearce
Supt

17/3/06

no pînă la
bătălie

o înaltă mănăstire flacă de aburi, abia de vădit
într-o pădure de stejari. În jurul ei erau
multe nișe de căpșă, de căpșă de căpșă, de căpșă de căpșă.

14812P48d01

la o pînă la
bătălie

o înaltă mănăstire flacă de aburi, abia de vădit
într-o pădure de stejari. În jurul ei erau
multe nișe de căpșă, de căpșă de căpșă, de căpșă de căpșă.

14812P48d01

la o pînă la
bătălie

o înaltă mănăstire flacă de aburi, abia de vădit
într-o pădure de stejari. În jurul ei erau
multe nișe de căpșă, de căpșă de căpșă, de căpșă de căpșă.

14812P48d01

la o pînă la
bătălie

o înaltă mănăstire flacă de aburi, abia de vădit
într-o pădure de stejari. În jurul ei erau
multe nișe de căpșă, de căpșă de căpșă, de căpșă de căpșă.

14812P48d01

la o pînă la
bătălie

la o pînă la
bătălie

H.D. C.O.

106858 51736 25 St. Laurent
 106857 51735 2122 St. Laurent
 106856 51734 19 St. Laurent
 106855 51733 10 St. Laurent
 106854 51732 11/12 St. Laurent

106858 51736 never lived on land
 106857 51735 lived on land since 1877
 never more than 2 mos. about
 in one year
 106856 51734 lived on land during winter
 of 1884-95 Sept. to March
 1 yr

106855 51733 no residence
 106854 51732

André Havel

Damas Carrière

Hap. Carrière

Proise Aubette

" "

1878 15/2/84 None

" " Building

" " Building

" " 4 ac cultivated
2 Building
6 ac cultivated

" " "

About half broken

10 acres

about 14 acres

"Large improvements"

" "

None

Damas Carrière

J. Parantéau 3 years 78-79 Carrière
 winter 1884-85

Discrepancy
 \$40.

None None

\$25 \$35 \$200 \$260

\$15 None \$70 120

None None

Purchased slave in 1822. Carrier for S/D came from Nam. Grant entry as re. charter for 1882. Read the Berkeleys in Nam. So was in jail at Dattle. Granted bond for participation in rebellion. The statement is on side of Ant. Berkeleys.

Carrier was killed at Batoche, the statement is made by Carrier's wife rec'd to his legal representatives to be \$100 per acre.

Bergerson makes statement for H. Carrier, who Grant entry as re-
quested
he says rec'd. H. B. scrip in man.

Quebelle claims other lands besides this is presented in
petitionary. She purchased this claim from Jos. Quebelle
who got it from Rich Dumont Jr. in 1872. None of these parties
resided on the land. The statement is made by
his wife. She states that her husband was about 1880
age under cultivation on lots 10, 11, 12, 13 & 14 Parish of
St. Laurent.

Goquette lived on this vicinity from 1874. That is on lot 13 and as his improvements are expensive they cost together with his 8. to be \$87.00 per acre.

Chulette claims other lands - is presently in prison. They purchased this claim from Pierre Chulette in 1879 who lived on land one year. Pierre Chulette purchased from Ed. Damgaard who lived on the land 3 years from 1875 to 1878. The statement is made by Chulette's wife.

Mr. Wm. Pearce

19/3/56

[illegible]

in a burning and burning of heart and soul
more is done & then more

[illegible]

13

卷之四

100828 21730

1988-12-22

427165080001

109822-2/23

58710-452001

106843 5/72 1 1/2 of 6 1/2 627 E. 1/2 of 1/4 Sec. 11, T. 3, R. 1, W. 3. ✓ Francois Linder 1879 4/8 none 2 horses 8 acres 1881, 82, 83, 84
 106842 5/72 0 1/2 E. 1/2 S. 1, 2, 3, 4 of Sec. 11, T. 3, R. 1, W. 3. Alexis Gervais 1882 2/11/83 none about 9
 106840 5/718 1/2 S. 3, 336, 1/4 Sec. 34 1/2 S. 3, 336, 1/4 Sec. 34 1878 9/3/83 15 ac. 1/2 field 3 1/2 acres 20 2 none
 106837 5/715 Lot 7, 69 & 81 Laurent 1878 10/2/84 none 30

106843 5/72 1 lived on land from Sept. 1881 to Aug. 1884. Present Claimant about 113 acres.
 106842 5/72 0 lived on land from Aug. 1882 continuously. Present Claimant 100
 106840 5/718 never lived on land but have taught school there. Present Claimant 100
 106837 5/715 never lived on land. Dennis lived on land from Spring 1885. 10m. Linder lived on it from Aug. 85 to March. 85.

577b

Teterboro, his wife & family received Half Breed scrip in Manifestation & have a claim to parts of Sec 24-1-43-28 & 29 & 30. I have received since 72, & want a second homestead after receiving patent.

155

Conce
Nance
Sept

Grant in honest adversary and if on application
 for said patent the improvement is not claimed it must
 be taken as a patent to issue the real device and
 a certificate of sufficiency of the improvement is
 for patent the improvement is not claimed to enter
 if then for a patent
 the Statute that in the event he is not
 entry for me out of the 31st of May 1874
 entry. There does not exist any law to be
 S. 31, 37 & 4 of the 31st of May 1874
 he is not claiming entry rights in all of Sec 31, or all of 31,
 or 4 of Sec 31. If however the improvement is not
 in each case of him & out of the 31st of May 1874
 he may be granted. Some.
 it is not to be entered to the 31st of May 1874
 received into the 31st of May 1874
 sent in by the 31st of May 1874
 credited to the 31st of May 1874. See file
 1008350 & 31st of May 1874.

The obtaining of a patent for
 patent for his present time
 ahead want him this lot of
 because as a second entry.

H.O. C.O.

106853	51731	3414 St. Laurent	1878	15/2/84	43 ac. Cultivated	1881	3	Can't say	3 acres
106851	51729	Sp. 44 - R1 W. of 3.	1879	15/4/81	none	1876 or 1877	1 1/2		1 1/2 acres
106850	51728	Sp. 44 R1 W. of 3.	1879	15/4/81	none	1884	3		none
106848	51726	Sp. 45 R1 W. of 3.	1879	19/10/81	100 ac. Cultivated	1876 or 1877	1 1/2		8 to 10 acres
106847	51725	Sp. 45 R1 W. of 3.	1879	19/10/81	100 ac. Cultivated	1876 or 1877	1 1/2		8 to 10 acres

106853	51731	Lived continuously on land from 1874 to spring of 1885	none	none	none	Present claimant	none by present claimant
106851	51729	never lived on land but his father did	none	none	none	Present claimant	Present claimant
106850	51728	Lived on land from 1876 to March 1885	none	none	none	Present claimant	Present claimant
106848	51726	Lived on land 4 years to Nov. 83.	none	none	none	Present claimant	Present claimant
106847	51725	Lived on land from 1873 to date	none	none	none	Present claimant	Present claimant

106853 51731
 106851 51729
 106850 51728
 106848 51726
 106847 51725

Annette, his wife and family received Manitoba
 Half Breed Scrips. Is at present in Brittenbury. His wife
 makes declaration.

Paid Man. Half Breed allotment; has been living for past
 1 1/2 in Sp. H. 260.
 Statement made by Louison Selindre thinks that Sarsaprel
 received his scrip as a Half Breed. Sarsaprel is now a
 refugee in Montana.

never had a separate claim applied for entry but
 was refused as my previous entry had not been cancelled on the
 patent issued therefor. Have lived on land continuously since
 that time 1884.
 His wife makes declaration. Short & wife rec'd H. B Scrips 40
 children also rec'd allotment in Man. Short now in penitentiary
 wants entry for upper 10 chs. & intends lower 10 chs. for his
 oldest son

Grand entry which have to
 decide whether we were made H. B
 this claim of the man was
 been living in H. 260.
 We incidentally want H. B 31273
 last deliver in Dec 27 & if that does
 not interfere with Annette claim.
 Grand entry as desired.

(See special report on
 Charles files H. B. 1005-84, 10547
 John P. A. files 51725-51726.

12/3/86
 Done
 H. Bance
 Sept

139

432

52-1283

2nd
 inside 1
 2nd
 2nd

£8/3p
 £8/3p
 £8/3p
 £8/3p

1878/1
1878/1
1878/1
1878/1

Urb. fl. in. 2
Urb. fl. 2

[illegible]

104833 2/1/19
104835 2/1/20

1000

2
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486/1
 486/1
 486/1

$\frac{1}{878} = \frac{1}{800 + 78}$

The Turner
 and Watson
 and
 the

[illegible]

0177c 048401
777c 248401
8377c 008001

22

462

22

Handwritten signature

James D. Lee

10922 2131

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1992.12.13

Present - claimant -

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 104823 51719 42 bought from said Demas
 in Oct. 1892. Paid \$300.
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Hand house long dragon which were burnt - need scrip in man.
 has never lived on the land.
 Demas does not appear to have made any improvements. I
 suppose it was part of a larger portion claimed by him partly
 consisting of this claim & partly that of Charles Frohn. Present
 applicant a man. May breed now in the Penitentiary

Manitoba. Half Breed received scrip never applied for entry
 never heard he could not obtain it. Had a river lot in Duck
 Creek which he sold for \$375.

Manitoba. Half breed received scrip. never applied for entry.
 This evidence is given by Ant. Ferguson, I fairly demand it is
 either in penitentiary or a refugee from the country.
 Ferguson states that he does not think Demons ever received a half
 breed Grant in Manitoba. The applicant requested to
 furnish but Duck with any evidence in the spring of 1884
 although knowing but Duck was there for the purpose of taking
 such applications. If he did not receive scrip he might have had the
 applied as Ferguson states he remained in Manitoba till 72 or 73
 at not moved by half breed Comte had opportunity to do so before
 ordinary magistrate again.
 Her wife both received man. H. B. scrip. Is now living in man
 but intends returning next spring to Saskatchewan.
 Because this man neglected to take his application before but
 Duck in Spring of 1884.

26 Dec. 85 Grant entry as desired.
 26 Dec. 85 Entry was accorded except
 that which is then in application
 a portion of which is allotted as
 honest work & vice versa.
 Agent before granting
 entry to ascertain if above
 land is what same claims

26 Dec. 85 Grant entry
 as desired

26 Dec. 85 Grant entry as desired.
 Grant him entry if
 there is no counter.
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Grant him entry
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and in good health - have even enjoyed a grand tour down with
 L. & down the river and down the coast - and have been
 - indeed - more liberal - to have been more liberal - to have been
 more liberal - to have been more liberal - to have been

riding of bridge over. find house in back of kitchen and
 dining in back which is back. I wrote for help in back of
 etc of back of kitchen - back

[illegible]

and I had not shared the
good news - see below

194828 2130

2176 368401

10 to 2 1/2

1048432112

22712068601

100879 21437

932

15th March. 6.

Sir,

I have the honor to enclose herewith a schedule of claims on the South Branch, which is the last of those filed, except the two cases in dispute, one between Agnew, Schmidt and Widow Chuellette on section 11 + 12 - 45 - 14.34, the other between Sedrel and Short on section 1 + 2, same township on which special reports will be made.

You will please have these compared with records of your office and see there is no clashing, I have not had time to compare them personally.

H. H. Smith, Esq.
Committee Don. Land.
Winnipeg.

1

File No. 931
for settlement

Handwritten scribbles

10th March 1901

Handwritten note: "The papers"

Sir,
 I have the honor to
 enclose herewith a schedule
 of claims on the South
 Branch, which is the last
 of those filed, except the two
 cases in dispute, one between
 Rogers, Schmidt and Widdow
 Chubbett on section 11 & 12-42-14-24
 the other between Teddel and
 that on section 1 & 2, same
 township on which special
 reports will be made.
 You will please have these
 compared with records of
 your office and see there is
 no mistake, I have not had
 time to compare them
 personally.

6

H. H. Smith, Esq.
 County Court Clerk
 Minneapolis

I have signed them and
 if they meet with your approval
 please sign the bills and
 return one of the copies for
 record. If you have made
 any changes write separate
 letter or card as they have
 been entered here and unless
 a letter or card is returned
 the necessary correction may
 be overlooked.

I have the honor to be

Sir,

Yours obedient servant

Wm. H. Brown

Wm. H. Brown

I have signed them and if they meet with your approval please sign the sheets and return one of the copies here for record. If you have made any changes write separate letter on each as these have been entered here and unless a letter on each is returned the necessary correction may be overlooked.

I have the honor to be,

Sir,

Your obedient servant

W. Leane

Suplt

Synopsis of evidence of Mr. Hunter regarding the lost scrip belonging to Jacob and Charlotte Beads. Hunter states that he does not know the Beads personally he knows of them, that he received the Beads' scrip, which now claims. That he purchased the same from the son: James McKay paid \$40⁰⁰ each for them that McKay had power of attorney to sell the scrip, thinks one McDonald was witness to said power of attorney. McDonald was an employee of McKay, does not recollect whether there was any affidavit of execution attached to said power he thinks in August 1882 he obtained the scrip from the office at Winnipeg that

Synopsis of evidence of Mr. J.
 Hunter regarding the lost ship
 belonging to Jacob and Charlotte
 Bonds. Hunter states that he
 does not know the Bonds person
 ally in town of them, that he
 received the Bonds ship, which
 was claimed. that he purchased
 the same from the Bond. Jones
 without paying \$400⁰⁰ back for them
 that without that power of at-
 torney to sell the ship, thinks
 one Whitcomb was witness to
 said power of attorney. Whitcomb
 was an employee of Whitcomb, was
 not married, whether there was
 any affidavit of matrimony at
 that time he does not think
 in August 1882 he obtained the
 ship from the office of Whitcomb
that

933

that he deposited said powers of attorney there and at that time he had not heard that Beads had transferred it to anyone else, he, Hunter, has since purchased the scrip of the children of the Beads through power of attorney and has obtained the scrip from Ottawa.

Mr. Whitcher's evidence states that when mail. applied for the scrip he made a search in his office and ascertained that the scrip had been handed to Hunter, that he made a search for Hunter's powers of attorney he has failed to find them, that this is the only case in his recollection where scrip has gone astray since the delivery

that he deposited said papers of
attorney there and at that time
he had not heard that Bonds
had transferred it to anyone
else, he, further, has since per-
sued the wife of the children
of the Bonds through power of
attorney and has obtained
the wife from attorney.

Mr. Whitaker's evidence states
that when Bonds applied for
the wife he made a search
in his office and ascertained
that the wife had been handed
to another, that he made a
search for that wife's papers of
attorney he has failed to find
them, that this is the only case
in his recollection where wife
has gone without since the
delivery

delivery of it came under his control. There is no reason to suppose the scrip was delivered without the protection of the necessary authority. It was not the practice of the Department to require an affidavit of execution of power of attorney.

Scrip was received at Winnipeg Office 17th May 1882, it was delivered by M. B. Wood to M. J. Hunter on the 14th August 1882.

Jacob Beads in affidavit taken before Bonestead Inspector Park on the 23rd October 1885, states that he worked for some time for the Hon. James McKay, that he never sold his scrip to McKay but he sold it in 77 to Charles Mair, he does not know M. J.

Hunter

delivery of it came under his
 control, but no reason to sup-
 pose the ship was delivered
 without the protection of the
 necessary authority. It was
 not the practice of the Depart-
 ment to require an affidavit
 of execution of power of attorney
 ship was received at Liverpool
 Office 17th May 1882, it was de-
 livered by Mr. B. Wood to Mr. B. Smith
 on the 14th August 1882.
 for the records in affidavit
 taken before a Notary Public
 Port on the 22nd October 1880, stating
 that he worked for some time
 for the firm of Messrs. Smith,
 he never sold his ship to Mr. B. Smith
 but he sold it in 1881 to Charles
 Smith, he does not know Mr. B.

Smith

Hunter he further states that he thinks if McKay claimed any scrip belonging to the Beads, it must have been that of Thos. Bead and his wife, who he thinks sold to McKay.

Charlotte Beads, states that she sold her scrip to Charles Mair and to no one else.

Would suggest that if possible the evidence of M. B. Wood and McDonald be obtained in connection with this matter.

In July 1884 Mair applied at the Dominion Lands Office Winnipeg for this scrip.

further be further stated that he
 thinks if history claimed any
 ship belonging to the Beards
 it would have been that of the
 Beards and his wife, who he
 thinks sold to Mr. Day.
 Charlotte Beards, states that she
 sold her ship to Charles Mason
 and to no one else.
 Would suggest that if possible
 the evidence of Mr. B. Wood and
 Mr. Brown be obtained in con-
 version with this matter.
 In July 1884 train applied
 at the Dominion Lands Office
 Winnipeg for the ship.

899 ~~719~~

Confidential

The Land Commissioners
Winnipeg.

Sir,

In accordance with the request made by you, with a view to the reconsideration of my claim re Railway land, I have the honor to submit for your decision a statement of the grounds upon which that claim is based.

at date he settled. Regulations apply only to land surveyed and open for entry hence have no application in this case.

where lands were for sale they did to that of 640 acres.

(A). At the time of my settlement here the regulations of October 1879 were in force.

(B). That these regulations formed the basis of an agreement between the Dominion Government and myself.

(C). They offered me a Homestead and Pre-emption under certain conditions, they also offered me the opportunity to purchase whatever Railway lands, I might require.

Confidential

The Land Commissioner
 Winnipeg.

This
 in accordance with
 the request made by
 you, with a view to the
 reconsideration of my
 claim in Railway Land
 I have the honor to
 submit for your decision
 a statement of the facts
 upon which that claim
 is based.

(1st) At the time of my
 settlement, viz the
 regulations of October
 1879 were in force.
 (2) That these regulations
 formed the basis of
 an agreement between
 the Dominion Government
 and myself.
 (3) They offered me a
 homestead and 80
 sections under certain
 conditions, they also
 offered me the opportunity
 to purchase additional
 Railway lands, I might
 require.

At date the settled
 regulations apply only
 to land surveyed
 and open for entry.
 I have found no appli-
 cation in this case.

There lands were
 on sale they did to
 that of 1870 laws.

Yes he could homestead when the lands were open for homestead entry, unless required for other purposes.

His argument about buying an unlimited quantity of Railway lands is wrong, because a mistake was made is no reason why it should be perpetuated. The Law officers of the Crown have decided the Government under those Reg. did not have the power to sell more than 640 acres to one individual. It is true a contrary ruling was given by the Deputy Minister, but an error made should not be perpetuated beyond discovery of such error.

(D) The first article of agreement, has been admitted, namely the right to homestead and Pre-empt my claim. To the second item of agreement is grounded on the aforesaid Regulations. Clause 5, The practice of the Department in having sold large sections of land under these said Regulations both before and after my settlement in this district, the following gentlemen among others, being the holders of land so purchased:

Thos. Greenaway.	Capital City
McLardane & Kean.	Emerson
L.O. Armstrong.	Winnipeg
Wm Beach	Emerson
Shriff Jarvis.	Toronto
Scott.	Toronto

also by the fact that in the fall of 1880, certain odd-numbered sections in Range 7+8 west were put on the market by the Government, and sold through the Nelsonville Land Office openly and without restriction

as to quantity to all
 who were willing to buy,
 further that clause ³⁰
 the Dominion Land Act of
 May 1879 which is used
 by you as an argument
 against my right to
 purchase more than 640
 acres, did not, and
 could not apply to Rail-
 way lands, as these lands
 were not at that time
 created, that the Order
 of Council creating
 these lands, determined
 the conditions of sale
 + price, as distinct from
 the unappropriated
 Dominion Lands referred
 to in the foregoing
 clause, that this was
 the intention of the Gov-
 ernment viz:- That these
 Railway lands should
 be disposed of on the
 terms and prices of
 the said Order in
 Council is conclusively
 proved by the letter
 12 19798 of date 19th Sept.
 1879, sent by direction
 of the Minister of the
 Interior, to the Land
 Agent at Nelsonville.
 Touching the question,

as to quantity to all
who were willing to buy
further that clause of
the Home Land Act of
May 1879 which is read
by you as an argument
against my right to
purchase more than one
acre, and that, and
could not apply to rail-
way lands, as these lands
were not at that time
created, that the order
of Council creating
these lands, determined
the conditions of sale
+ price, as distinct from
the unappropriated
Home Land Act referred
to in the foregoing
clause, that this was
the intention of the Act.
I am, Sir, that these
Railway lands should
be disposed of on the
same and price of
the said order in
Council is conclusively
proved by the letter
of 19th of Oct 1879, and
1879, sent by direction
of the Minister of the
Interior to the Land
Agent at Melbourne
concerning the question

If he had the money to invest he could invest it where lands were for sale, there was nothing in the regulations to guarantee him that the regulations would remain in force till the lands he wished to purchase came in the market. As a matter of fact even had they remained in force I know several parties myself among the number who were anxious to purchase there, in fact applied personally to the Surveyor General in Ottawa in Dec. 1879 and furnished a list of some 25 sections some of which are those covered by Alexander's

a copy of which letter is hereby annexed which instructed the agent, that a person in possession of 640 acres of land purchased by scrip or cash before these new Regulations came into force can purchase as much Railway land as he can pay for.

(B^{new}) That I was induced to come to this country by the opportunity given me by the Domⁿ Government to invest what little money I had on hand by the terms of purchase contained in the Regulations of Act 1879. That my intention to invest in these lands was known in November 1879 to the following gentlemen:-

D. B. Woodworth M.D.	
Duncan McArthur Esq.	
Merch ^t Bank, Winnipeg.	
Robt. Gerrie Esq.	Winnipeg
J. H. McEwan Esq.	Winnipeg
L. O. Armstrong Esq.	"
J. D. Elliott Esq.	"
W. Hargrave Esq. M.	"

a copy of which letter
is hereby annexed
which instructed the
agent, that a person
in possession of 40
acres of land for
which he had paid
cost before that was
repudiated came into
force can purchase
a new railway land
as he can pay for
it. That was intended
to come to this country
by the opportunity
given me by the Don-
government to invest
what little money
had on hand by the
terms of purchase
contained in the
repudiation of Oct 1879.
that my intention to
invest in that land
was never intended
prior to the following

gentlemen:-
A. B. Woodworth Esq.
American Museum of Natural History
New York City, N.Y.
J. H. Woodworth Esq.
J. H. Woodworth Esq.
J. H. Woodworth Esq.
J. H. Woodworth Esq.
J. H. Woodworth Esq.
J. H. Woodworth Esq.

if he had the money to
invest he could invest
it where he would like
and there was nothing
in the repudiation to
prevent him that
the repudiation would
remain in force till
the lands he wished to
purchase came in the
market. As a matter
of fact we had been
announced in force
and several parties
right around the number
who were anxious to buy
these lands, in fact of
which personally to the
American Museum of Natural History
in Dec. 1879 and furnished
a list of some 25 persons
some of which are those
named by the repudiation

application made subsequently, and was informed by Mr. Russell that I would have to take my chances to purchase when they were placed in the hands of the agent for disposal. I was asked to be one of a C^o. to put an agent out at the Land Office in Spring of 1880 when it was supposed those lands would be shortly open for sale, so that he would be on hand to purchase the day they were open, so that this claimant might have found that the lands he so greatly desired might have been purchased by some other party had the Gov^t opened them for sale at the time it was supposed they would. In addition from the second list of lands applied for by him, the half of them were not surveyed till 1880, and were not in the market till after the 25th of May 1881. The files here do not disclose such a list, but such

Robt. Chalmers Esq.	Emerson
J. H. Whitman Esq.	
Geo. Germain Esq.	St. Boniface
Atto. J. Klotz Esq.	Preston, Ont.
Spencer Bedford Esq.	Winnipeg.
4 th	4 th
4 th	4 th

a one was put in and embraced lands not included in the ~~the~~ being many \$2⁰⁰ per acre lands. ~~Bill D.~~ being along line of the then supposed route on the Man. & S. W. Railway.

The lodging of his claim (3rd) That my claim was (application he should say) lodged with the Department at the very earliest opportunity offered me, and before the said Regulations were withdrawn the price of land altered, or the value of these lands increased.

He is wrong in that as he did after his application last spring, see map. The fact of his not making it larger is very generous as he only asked for about 10000 acres. That at the date he preferred his claim first there were dozens of others who would have preferred as large and as valid ones had they supposed it would have given them any right to same. (4th) That my claim tendered at the above early period remains at this day, the same as it then was. I have not, as the lands increased in value made large demands upon the Government which proves the bonafide character of my application and that I was willing at any time from the date of my settlement here, to purchase and pay for these lands, while they were considered by many as not even worth \$1⁰⁰ per acre.

one was put in and
 unbarred lands not
 included in the
 survey of 1820 per acre lands.
 The then supposed route
 on the river & W. boundary.

(3rd) That my claim was
 located with the report
 sent at the very earliest
 opportunity offered me
 and before the said
 regulations were with-
 drawn the price of land
 altered, or the value of
 these lands increased.

(4th) That my claim being
 at the above early period
 remains at this day, the
 same as it then was &
 have not as the lands in-
 creased in value made
 large demands upon the
 Government which proves
 the bonafide character of
 my application and that
 I was willing at any time
 from the date of my settle-
 ment here, to purchase out
 pay for these lands,
 while they were considered
 by survey as not surveyed
 \$1.25 per acre.

The lapsing of his claim
 (application to be made say)
 is of no force till lands are
 in the market. The A. S. Act
 never has given any right
 to purchase by reason of
 applying ahead of lands
 being open for sale.

It is wrong in that case
 did after his application
 last spring, however, the
 fact of his not waiting 10
 days is very general as
 he only waited for about
 1000 acres. That at the date
 he preferred his claim first
 there were dozens of others
 who would have preferred
 as large and as valid
 and had they supported
 it would have given
 them any right to same.

the Board in granting the said right to settlers did not do so on the grounds that they had any legal rights to same, but to prevent them feeling they had as pioneers been harshly treated, the equities of their position being the view considered. The petitioners of whom Mr. Alexander was one laid particular stress on the fact that they settled here to obtain what land they required for the pursuit of their agricultural operations, not for speculative purposes.

That it has been objected my right to purchase additional land that I have not sufficient improvements on my homestead + Pre-emption in the opinion of the Board to warrant my possession of the land asked for, with reference to this objection I respectfully point out to the Board, that it has not the slightest bearing upon the question of my right to purchase, that right as I have already pointed out depends entirely upon whether I have the cash to pay for the lands applied for or not. - see annexed letter, 12/19/98. 19th Sept. 1879. - That an objection of that nature could only affect my right to homestead. And that small as the Board may consider these improvements, they are at least sufficient to satisfy the Government's demands upon me in that respect. In connection with this subject I have only to say

first I have only to say
relation with this sub-
ject in respect. In case
demands upon me in
to satisfy the Government
are at least sufficient
these improvements they
Board may consider
that that small as the
right to be considered.
could only affect my
objection of that nature
1st April 1878 - that on
answered letter to 19th April
applied for or not. See
to pay for the lands
whether I have the cash
and depends entirely upon
as I have already pointed
to purchase, that right
the question of my right
disputed bearing upon
that it has not the
point out to the Board
objection I respectfully
with reference to this
of the land asked for
to warrant my possession
the opinion of the Board
stand + the emphasis in
any Government on my share.
I have not sufficient in-
formation to purchase
that it has been so.

culative purposes
operations, not for spe-
of their operations
quired for the purchase
what land they re-
settled here to obtain
on the fact that they
land particular these
Mr. Chapman was one
the petitioners of whom
being the view considered
opinion of their position
been harshly treated, the
and they had as persons
but to prevent them feel.
any legal right to some
provide that they had
did not do so on the
the said right to settle
the Board in granting

The spirit of that applies only to the extent of 640 acres.

that the Deputy Minister of the Interior, received my explanation upon this matter (which is the same made by me to you, on my return from Ottawa) as perfectly satisfactory.

(6th) That the regulations of 14th Oct. 1879 were rescinded and superseded by the Regulations of May 1881, that clause 10 of these new Regulations of May 1881 reads as follows:-

"Price and terms of payment of odd numbered sections, & pre-emption above set forth shall not apply to persons who have settled, in any one of the several belts described by the Regulations of 14th Oct. 1879 hereby rescinded, but who have not obtained entries for their lands and who may establish a right to purchase such odd numbered sections or pre-emption, as the case may be, at the price, and on the terms respectively

that the Deputy Min-
ister of the Interior, in
view of the explanation
given by the Minister
in the same words of
the law, or any other
law (consequence) as per-
fectly satisfactory.
That the regulations
of 14th Oct. 1879 were rescin-
ded and superseded by
the regulations of 1881
of 10th March 1881, that clause 10 of
these new regulations
of 1881 reads as
follows:-

"Price and time of pay-
ment of odd numbered
sections & pre-emptive
above all forth shall
not apply to persons who
have settled in any
one of the several lots
described by the De-
partment of 14th Oct. 1879
which were not obtained
entirely for their lands
and who may establish
a right to purchase
such odd numbered sections
or pre-emptive, as the
case may be at the
price and on the
terms respectively

The spirit of that op-
tion only to the extent
of 40 acres.

He has not proven his ^{right} to purchase the lands he applies for under the regulations of 1879, those regulations only applied to lands open for sale. This claimant was one of the promoters of an indignation meeting at Wakopa in May 1880 and is reported to have stated if they did not obtain their rights (that is in his case his demands) he for one would pull down the Union Jack & hoist the Stars & Stripes.

Again though now posing as a conservative being a member of the Local Legis.ature during its session May & June 1882 made it a sine qua non with the Norquay Govt. that he should obtain this land on condition of his support. The position of parties was pretty closely divided. The Local Ministers waited 10 on the Land Board and May 1881.

urged all they could on Alexander's behalf. The Land Board acquiesced this far that they would

"fired for the same by the said Regulations"

(4th) That I have fully proved my claim to the right to purchase the Railway lands applied for by me, under the Regulations of Oct. 1879. That I have es-

tablished the fact that it was the practice and intention of the Government to sell these lands, on the prices and terms contained in the said Regulations, that it was also the intention

of the Government to give the same advantage to those placed in circumstances where entry or purchase was debarred them the right to all the privileges enjoyed by those more favorably circumstanced, as evidenced by clause 10 of Regulations of May 1881.

I therefore reiterate my claim to purchase the twelve and a half sections applied

...for the same by
the said Repulbicans
(#2) that I have fully
proved my claim to
the right to purchase
the said land under
repulbicans only applied for by me, under
the Repulbicans of 1871.
that I have as
published the fact
that it was the practice
and intention of the
Government to sell
these lands, on the
prices and terms
contained in the said
Repulbicans, that it
was also the intention
of the Government to
give the same action
to those placed
in circumstances
where entry or purchase
was desired them
the right to all the
principles enjoyed by
those who have formerly
circumstances, as
enjoyed liberty purchased by clause
of Repulbicans of
1871.
Therefore neither
my claim to purchase
the land nor the value and a
half section applied

the has not proven his
to purchase the land
he applied for under the right to purchase
repulbicans of 1871, that the said land
repulbicans only applied for by me, under
the Repulbicans of 1871.
this claimant was one of
the promoters of an invalid
action meeting at that place
in May 1880 and is reported
to have stated if they did
not obtain their right (that
is in his case his demand)
he for one would pull down
the Union Jack & sail the
stars stripes.
again though was having
as a representative being a
member of the local troops.
later during his absence
from June 1882 made it
give you now with the
harmony fact. That he
should obtain this land
on condition of his support.
the position of parties
then greatly divided and
the local minister visited 10 of Repulbicans of
on the land board and from 1881.
except all they could
in the land's behalf.
the land board required the value and a
half for that they would

not announce their decision for by me on the price
 till the session was closed. and terms of the
 to still further understand Regulations of Act. 1874.
 This matter I would refer
 you to my memo. giving
 history of ~~the~~ ^{old} ~~claim~~ ^{claim} in
 Little Mountain Land District:

(sgd) J. P. Alexander
 Sourisford
 Man.

J. P.

not announce their decision for some time on the price
 till the session was closed. and terms of the
 to still further understand negotiations of Oct. 1871.

(copy of J. F. Chapman's
 journal
 from

this matter I would refer
 you to my journal. giving
 history of the session in
 the Hamilton Land District.

J. F.

2d / 2074

900

729

935

Ottawa, 12th January 1888

My dear Sir

I have just had a discussion with the Rev. Père Lacombe re dispute Garneau vs. Walter, and as I told you in August last at Calgary, I have again gone carefully over all the evidence and can see no ground for changing my report. All Walter gets is 155 acres, and if he gives your corporation 2 acres leaving him only 153. Every settler is entitled to 160 acres, if available. Both Garneau and McDonald receive 235 acres though not having improvements to nearly the value of Walter.

At the time I made my report

Rev. H. Leduc.
St. Albert.
Alberta.

you

Attorney, 12th January

My dear Sir
I have first had a discuss-
ion with the British Treasury
re dispute between Mr. Walter
and as I told you in August
last at Coleridge, I have again
gone carefully over all the evi-
dence and can see no ground
for changing my report. All
Walter gets is 100 acres, and if he
gives your corporation 2 acres
leaving him only 100. Every
letter is entitled to 100 acres if
available. Both Barmore and
Mr. Barmore receive 200 acres
though not having improvement
to really the value of Walter.
At the time I made my report
yours

Wm. H. Lubbock.
St. Albert.
Alberta

you had just informed me, or
 at least I so understood that
 you had retained out of the
 payment to Garneau sufficient
 to pay the Government at \$1⁰⁰
 per acre all the excess in area
 of his lot above 160 acres. Walter
 has agreed to give you 2 acres
 at \$1⁰⁰ per acre surrounding
 the chapel, that is a piece 5
 chains north and south and
 4 chains east and west, the
 northerly limit of said 2 acres
 to be 2 chains north of the
 northerly end of said chapel
 and the southerly limit 5
 chains south of said northerly
 limit. It will be necessary to
 furnish a description of the
 said 2 acres, that is, the distance
 the

you had just informed me, or
 which is understood that
 you had returned out of the
 payment to Government sufficient
 to pay the Government at \$1.25
 per acre all the excess in area
 of his lot above 100 acres. Walter
 has agreed to give you 2 acres
 at \$1.25 per acre surrounding
 the chapel, that is a piece of
 chains north and south and
 4 chains east and west, the
 northern limit of said 2 acres
 to be a chain north of the
 northern end of said chapel
 and the southern limit of
 chains south of said northern
 limit. It will be necessary to
 furnish a description of the
 said 2 acres, that is, the distance
the

the south east angle of said 2 acres is from the south east angle of lot 107, as surveyed by Deane, measuring along said line.

On payment into the hands of the Agent \$97⁰⁰ and furnishing said description patent will issue to your corporation for 10 chains of land from off the portion of lot 7 granted Garneau, 2 acres from off the portion of said lot 7 granted Walter, and patent will also issue to Garneau for remainder allotted him.

This \$97⁰⁰ is made up in this way

235 acres - 160 acres = 75 @ \$1 ⁰⁰ per ac. =	75-
2 acres of Walter's lot - - - -	2.
Homestead and pre-emption fees	<u>20</u>
Total	97
	<u>The</u>

the with each sample of said
as is from the south east
of the report of the
bearing measuring along said line
on payment into the hands
of the agent \$100 and furnishing
said description patent will
issue to your corporation for 10
chains of land from off the
portion of lot 1 granted to James
2 acres from off the portion of
said lot 1 granted to Walter and
patent will also issue to James
for remainder allotted him.
this \$100 is made up in this

way

100 = 100 acres = 100 \$100 = 100

2 - - - - - 2 acres of Walter lot 1

20 - - - - - 20 acres and 20 \$100 = 20

70 total

100

935

The Rev. Père Lacombe requests me
to write you explaining fully
the position and that you and
Rev. Père Lestang will write him
expressing fully your views and
if this meets with the same.

Wishing you and your friends
the compliments of the season

Believe me

Very truly yours
(cqd) Wm Pearce

Supt.

the Rev. Dr. Lumsden requests me
to write you explaining fully
the position and that you and
Rev. Dr. Lumsden will write him
explaining fully your views and
if this meets with the same.
Trusting you and your friends
the complement of the above
Believe me

Very truly yours
Wm. Lumsden (ed)
Bapt.

UnofficialOttawa, 27th March, 1886.

My dear Mr McDougall,

Yours of the 5th instant to hand re supposed error in survey of Mission lot at Moosay. I have but to say that the plans of the same by Mr Bellanger have not yet been accepted and so soon as they are and lithographed I will send you a copy from the date on which no doubt should there be an error in the position of any posts it can be readily rectified.

—

Journal

Utah, 2nd March, 1880.

My dear Mr. Woodwell
 Yours of the 2nd inst.
 is duly received and
 in answer of which I
 have but to say
 that the plans of the same
 by Mr. DeLongue have not
 yet been accepted and as
 soon as they are and the
 proposed I will send you
 copy from the date on which
 no doubt should there be an
 error in the position of
 my part it can be readily
 rectified.

I would however in con-
 sideration of the
 fact that the
 plan will be subject to
 its utility and the
 fact pointed in accordance
 with the same to the
 respective committees. When
 these claims come to be
 considered it may be
 found necessary to change
 or vary the same. This
 however probably can be
 done without requiring any
 further survey, that is if
 the committee does not
the

I would however in conclusion caution all claimants to land at Morley not to assume that this plan will be adhered to in its entirety and the lots granted in accordance with the same to the respective claimants. When these claims come to be investigated it may be found necessary to change or vary the same. This however probably can be done without requiring any further surveys, that is if the claimant does not get the

936

the whole lot as stated by
 Bellanger a certain portion
 of it can be granted him
 which portion can be readily
 described.

Believe me

Very truly yours

Wm. Pearce

Rev. John McCall

Worcester.

Attentive

the whole lot as stated by
 all maps a certain portion
 of it can be granted him
 which portion can be readily
 described.

Believe me
 Very truly yours
 H. H. H.

Gen. John Smith
 Major
 Chatham

902
March 25th 1886

Sir,

I have the honor to return herewith on file 53803 of your office, having reference to the claim of John McLean for part of Sec 28-52-24 W⁴E and to state that no record of any recommendation in this case can be found here, nor any evidence on which to base one. You will therefore please instruct the agent to take the evidence of Mr McLean in regard to the land in question, such evidence to be full and explicit as possible, forward the same to you, on receipt of which a recommendation will be made on the matter.

I have the honor to be,
Sir

Your obedient servant

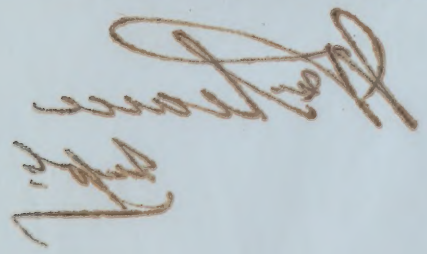
H. H. Smith Esq
Com. Dominion Lands
Winnipeg
Man.

W. Pearce
Sup^y

March 22nd 1898

Sir,
 I have the honor to return herewith a
 file 22823 of your office, having reference
 to the claim of John Lee for part of
 the 44-22-24 W⁴ and to state that no
 record of any recommendation in this
 case can be found here, nor any further
 or which to trace one. We will therefore
 please instruct the agent to take the
 evidence of his brother in regard to
 the land in question, such evidence to
 be full and explicit as possible. Forward
 the same to you, as receipt of which and
 communication will be made on the
 matter.

I have the honor to be
 Sir,
 Your obedient servant


 J. H. Smith

H. H. Smith Esq
 Commissioner of
 the Land Office
 Salem

903

56-866.

26th March, 6.Memorandum.

It has been decided after discussion with the Deputy Minister and the Minister to sell Mr Belanger the S. W. 1/4 Section 19, Township 49, Range 21, W. 2nd at \$1.00 per acre reserving however all rights and privileges mentioned in my memorandum dated 16th February that is at 5 chain reservation along the river and the right to establish trails or right of way for any railway across said 1/4 Section. Will you please see that the necessary instructions are issued.

You

903

28-266.

26th March, 1861.

Memorandum.

It has been decided
 after discussion with the Deputy
 Minister and the Minister
 to sell the Belanger No. 1 & 2
 Section 19 Township 44 Range 41
 N. 2 at \$1.00 per acre re-
 ceiving however all rights
 and privileges mentioned in
 my memorandum dated 16th
 February that is at a certain sec-
 tion along the river and
 the right to establish trails or
 right of way for any railway
 across said 1/4 section. Will
 you please see that the necessary
 instructions are issued

Yours

838

I have better things
 on file 1881
 that seem to be the
 best.

I have

938

You had better indorse
on file 18681 this action,
that seems to be the Belanger
file.

J. F. Lawrence

Memorandum for Mr. Douglas.

Acknowledge his letter and state to him that more favourable terms have been given to his Church than to the others for the following reasons:— his Church has not yet established any mission at Battleford, the other Churches have, and strictly under the ruling, it should be only made applicable to those Churches which had established a mission.

That so far as any purchase which his Church may have made at Battleford, it gave them only a right to the improvements thereof

Memorandum for Mr. Bondar.

acknowledge his letter and state to him that more favorable terms have been given to his Church than to the others for the following reasons:—his Church has not yet established any mission at Battledore, the other Churches have, and strictly under the ruling, it should be only made applicable to those Churches which had established a mission.

That so far as any favor there which his Church may have made at Battledore, it gave them only a right to the improvements thereof

939

thereof as the party from whom they purchased, had nothing else to convey; that as the land that was purchased, is on the South side of the River and they now desire to obtain land in lieu thereof on the North side, his request that he be allowed to choose his twenty lots in three different parcels cannot be complied with except at the regular prices. In granting to the various Churches the right to purchase, the application was not, that such should be obtained for speculation purposes, but a sufficient area around the Churches and so much as
is

thereof on the party from
 whom they purchased had
 nothing else to convey; that
 as the land that was purchas-
 ed is on the south side of the
 River and they have desire to
 obtain land in lieu thereof
 on the north side, his request
 that he be allowed to choose
 his twenty lots in three dif-
 ferent parcels cannot be con-
 sidered with respect to the regular
 prices. In granting to the various
 churches the right to purchase,
 the application was not, that
 such should be obtained for
 speculation purposes, but a
 sufficient area around the
 churches and so much as

is

is required in connection
with their missions for
church parsonage &c. could
be obtained at a very low
price.

W. P.

is required in connection
with their missions for
church postage &c. could
be obtained at a very low
price.

W. P.

905-

27th March 6.

53738.

Sir,

I return herewith a
file of your office.

You will notice a mem.
orandum prepared by Côté
who now has charge of Man-
itoba Act files.

I agree with you that
from evidence it would
appear that this is a first
class staked claim and
would recommend it as such.

From what is reported
by Lang in 1880 concerning
lot 93 it would appear at
that date Ayer had not
commenced his residence.
Before proceeding further
in the matter it would

The Commissioner
of Dominion Lands.
Winnipeg.
Manitoba

probably

23738

27 March 1881

Sir,

I return herewith a

file of your office.

You will notice a man.

and another prepared by late

who was in charge of them.

It is not filed.

I agree with you that

from evidence it would

appear that this is a first

class of cases.

would recommend it as such.

From what is reported

by Lord in 1880 concerning

that it would appear at

that that was not

concerned his residence.

Before proceeding further

in the matter it would

Yours truly

The Commissioner

of Dominion Lands

Edmonton

040

probably be advisable to as-
 certain exactly what our
bad commenced some file
 residence upon this lot,
 and what length of time
 since such date, he has
 commenced ^{there} residence.
 Respectfully submitted.

Wm. J. [Signature]

probably be advisable to ascertain exactly when Ayer had commenced bona fide residence upon this lot, and what length of time since such date, he has continued ^{such} residence.

Respectfully submitted,

Wm. T. Ayer

Okauch, 24th March, 1886.

Memorandum.

I find in looking over the file in this case, No. 5385, that the lands affected are W. 1/2 14, Tp. 10, R. 26, West 1st, the file here does not disclose under what conditions the title was to go to Mayhew's heirs. I should infer that at the date of Mayhew's death there were no improvements on the land in question. It was at one time cancelled by default and entry granted to others through oversight of the Agent, afterwards these entries were cancelled in about January, 1884. Nothing further

sum

is to have been ^{done} in the matter till last September, when the Agent wrote that the half section in question still remained undisposed of and that Mrs Mayhew had written asking to know what steps she should take to secure a title to the land; on the 5th October, 1885, Agent was instructed that she would be granted 60 days within which to avail herself of the privileges accorded her to purchase the said $\frac{1}{2}$ section, there is no price mentioned in that, but I infer it is \$2⁵⁰ per acre.

On the 17th instant a Mr. Anderson writes stating that all their requirements have been complied with, and asks that Patent issue.

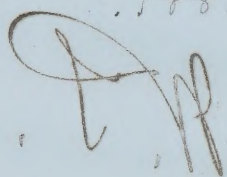
There

941.

There is a draft of reply to Anderson on the file not yet approved but which I think will be in which he is told that so soon as the Agent reports the sale and Mr. McDonald has registered the assignment the patent will issue to him.

H. P.

at paper for work & is well?
 I hope the life is so good
 that I hope the work is so good
 that I hope the work is so good
 that I hope the work is so good
 that I hope the work is so good
 that I hope the work is so good
 that I hope the work is so good
 that I hope the work is so good



24

942

907 747

March 5.

Sir,

I have the honor to acknowledge the receipt of yours of the 5th instant, and in reply to state I have not with me the recommendation made in the Nelson Brothers case but if I recollect correctly it did not include the whole S. W. $\frac{1}{4}$, Sec. 31, I think the north only 30 chains of this $\frac{1}{4}$ section was to be granted them together with the southerly 10 chains N. W. $\frac{1}{4}$ of same section.

Under the circumstances I think that Mr. Pinholm's request that he should see the lands

H. H. Smith, Esq.,
Commissioner of
Dominion Lands,
Winnipeg.

2. Acrostic

1. The first part of the book is a history of the world from the beginning of time to the present. It is a very interesting and informative book.

1. *per. diurnal. H. H.*
 2. *per. diurnal*
 3. *per. diurnal*
 4. *per. diurnal*

at 10:00 the boat arrived
 at the pier and the
 passengers were
 taken to the hotel
 where they were
 accommodated. The
 boat was very
 comfortable and the
 crew was very
 friendly. The
 weather was very
 pleasant. The
 boat was very
 comfortable and the
 crew was very
 friendly. The
 weather was very
 pleasant.

lands staked out before he gives his consent to entry being granted is a reasonable one, and would suggest that you communicate this to Nelson Brothers. Their post-office address will be New Orley, you might in writing to Mr. Pinholm, state that I personally inspected this 1/4 section and the recommendation would not I think in any way interfere with the "Cow Camp" and enclosures in connection therewith of the Orley Ranch, which are partly on Sec. 30 and 31. It is however only reasonable and right that Pinholm should see this for himself and be satisfied therefore ~~it~~ will be necessary for the Nelson

942

Nelson Brothers to have it
staked out and when
that is done to notify Pin-
holm to go and see the
same.

Louis Buely,

Wm. Pearce

He sent at several points
 meter bone the best
 -not yfitor at work si-ter
 et ed bone op. at meter
 end

yelud ewes

T.H.

943

908 750

27 March 6-

Sir,

I have the honor to acknowledge the receipt of yours of the 5th instant Ref ⁵³³⁶⁸ 1366 14 enclosing an application by Mr Wm Lattimer to lease the S.W. 1/4 Sec. 9-43-17 T. 3rd R. 4th for the purpose of cutting hay thereon, and in reply to state I know of no reason why he should not obtain the same provided it does not interfere with any other settlers rights. I am not very well informed as to the amount of land valuable for hay in the Catalford District, but

from

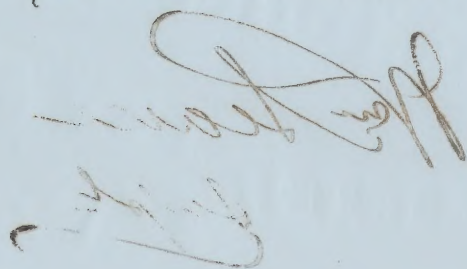
H. H. Smith, Esq.,
Commissioner of
Common Lands,
Winnepeg, Man.

pbeuend aenepd and most had
 al aldo ad fduab er lue it
 depelined fud fampop brup
 Inmillel et al, bilmop pmed
 -deluited, iddel fexemp et al fo
 blewoll, deebatharok et al pul
 -laxep ad depelined eadit faw
 timed pcomibro et al eeone be
 miledph

et al remort et al eueok b

id

four vobind buey



but from the Agent's knowledge,
he will not doubt be able to
guard against such privileges
being granted, to the detriment
of the general public, particular-
ly the Homesteaders. Should
not these privileges be grant-
ed under the ordinary permit
system?

I have the honor to be

Sir,

Your obedient servant,

Wm. L. Lamm
Agent

Memorandum.

Re Esquimaux Water Works.

Incorporated by Act of Local Legislature dated 9th March 1885, Capital Stock \$150,000, right to increase to \$250,000, shares \$100 each, five Directors, three to form quorum, powers are given to enter upon any lands public or private within ten miles of Esquimaux, the right to appropriate the waters of Thetis Lake and Deadman's River, the right to purchase any interest in said waters which may be owned by others the right to take timber, stone, gravel, sand and other materials from the lands for the use and construction

of

Memorandum

Re. Expensive Water Works.

Investigated by Act of Local
Legislature dated 25 March 1885,
Capital stock \$100,000 right to
increase to \$250,000, shares \$100
each, five millions three to form
Quorum, powers are given to
enter upon any lands public
or private within ten miles of
township, the right to acquire
private the waters of this lake
and headwaters over the right
to purchase any interest in
said waters which may be
owned by others the right to take
timber, stone, gravel, sand and
other materials from the land
for the use and construction

944

of said work. That in case they cannot agree about what is to be paid for the same on private property, the amount shall be arrived at by Arbitrators. The Company appoint one, the owner one, these two appoint the third, failing to agree on application of either party, the Judge of the Supreme Court of British Columbia appoints a third, also in case any owner be an Infant, married woman or insane or absent from the Province or refuse to appoint an arbitrator within a fixed time, the Judge of said Court on application by the Company appoints three Arbitrators with the decision of such Arbitrators final

the

of said work. That in case they
cannot agree about what is
to be paid for the same or
gravel property, the amount shall
be arrived at by arbitrators. The
company appearing over, the owner
over, these two appearing the third
failing to appear on application
of either party the judge of the
supreme court of British Columbia
appearing or third also in case
any owner be an infant, married
man or woman or insane or ab-
sent from the Province or refuse
to appear on application within
a fixed time. The judge of
said court on application
by the company appearing that
arbitrators with the decision
of such arbitrators final

the

The arbitrators to have the power of administering oaths and the said Act goes on to say how they shall summon witnesses and number of days notices &c. It also provides that any award under the Act may be set aside by the Supreme Court of British Columbia on the same grounds as ordinary arbitration. Whatever amount is awarded shall be paid within three months failing which the property reverts to the original possessor. Lands so taken shall be forever vested in the Company gives right to enter for the purposes of laying pipes on private property roads, lanes &c. provides a penalty for wilful waste of water or injury

The arbitrator to have the
power of administering oaths
and the said act does not
say that they shall administer
oaths and number of days
within which it is also provided that
any award under the act
may be set aside by the Supreme
Court of British Columbia on the
same grounds as ordinary ar-
bitration. Arbitration award is
enforced shall be paid with
three months failing which
the property reverts to the original
possessor. Funds so taken shall
be forever vested in the company
and rights to enter for the purpose
of laying pipes on private property
shall, under the provisions aforesaid
for useful works of water or
irrigation

injury to the works, rate is not greater than 60 cts. a thousand gallons, or a dollar a month for each house when the number does not exceed four and 30 cts. per head for each additional occupant; the Company has the privilege of electing whether they shall charge for water by the gallon or per capita. . . Penalty for tapping or using without permission the water of said Company. The penalty of ~~bat-~~
~~tering~~ ^{batting} in, or in any one way injuring the water of said Company, by the deposit of filth. The penalty for same not exceeding \$250. or imprisonment. If fined one half goes to the Company the other half to the informer. Penalty for any one

rising to the north, rate is not
 greater than 5000. a thousand
 dollars, or a dollar a month
 for each horse when the number
 does not exceed four and 3000.
 per head for each additional
 occupant; the company has
 the privilege of selecting whether
 they shall charge for water by
 the gallon or per capita. Penalties
 for tapping or using without
 permission the water of said
 company. The penalty of 50¢
~~imposed in, or in any way~~ ^{imposed in}
 the water of said company by
 the deposit of 5¢. the penalty
 for same not exceeding \$2.50. or
 imprisonment. If fined over half
 day to the company the other half
 to the informer. Penalties for any

one

944

one giving away water. Where a vacant space intervenes between street-line and the wall of the house into which water is to be conducted, the Company being empowered to lay a ~~surface~~^{service} pipe across it and charge for same payable with the first water rates and collectable in the same manner. The service pipes, Taps &c, each under the control of the Company and only such Taps as each approved by the Company shall be allowed to be used, any damage by water not chargeable against the Company. Servants of the Company to have free access at proper hours in all parts of every building in which water is delivered

one driving away water. When a
vacant space intervenes between
street line and the wall of the
house into which water is to be
conducted, the company being
empowered to lay a ~~service~~
pipe across it and charge for
same payable with the bill.
water meter and collectible
in the same manner. the

service pipes, taps & cocks under
the control of the company and
only such taps as each applicant
for the company shall be allowed
to be used, and damage by
water not chargeable against
the company. Amount of the
company to have free access at
proper times in all parts of every
building in which water is

delivered

944

delivered and consumed. The penalty for interfering with the hydrants by any unauthorized parties. Limitation of time for bringing actions. The work to be completed within three years from the passing of the Act. The company to have the right to put any meters and compel the use of them and that the party using them shall pay for the same. Also a penalty for tampering with meters. The Company to have power to make any regulations regarding the collection of water rate and in default of payment, the same is enforced by shutting off the water or by suit at law, also an exemption for three years from

delivered and consumed. The
property for interfering with
the rights of any individual.
right parties. Limitation of time
for bringing actions. The work
to be completed within three
years from the passing of the
Act. The company to have the
right to buy any water and
control the use of them and
that the party using them shall
pay for the same. Also especially
for tampering with meters. The
company to have power to make
any regulations regarding the
collection of water rate and
in default of payment, the same
is enforced by shutting off the
water or by suit at law, also
an exemption for three years
from

from Provincial taxation from
passage of act further they
are not to employ any Chinamen
in the construction or mainten-
ance of the work. The remainder
of the act applies to the company
itself not to the public.

from Provincial taxation from
 passage of Act further they
 are not to employ any Chinamen
 in the construction or maintain-
 ance of the work. The remainder
 of the Act applies to the Company
 itself not to the public.

Kanaimo Water Works.

That it is incorporated the same day as Esquimaux by Act of Local Legislature 9th March 1885.

Capital stock is fifty thousand dollars with power to increase to one hundred thousand dollars. Shares fifty dollars each, are assignable like all personal property.

Five Directors, each Director must own five shares as qualification. Three form a quorum, no share holder allowed more than fifty shares, limited liability.

The right to enter on land same as Esquimaux, the water to be taken at Starks Falls

on

Thammasak Waterworks.

that it is incorporated the
same day as experimentally by
Act of Local Legislative Assembly.

Capital stock is fifty thousand
bahts with power to increase
to one hundred thousand bahts.
Share fifty bahts each, are
assignable like all personal
property.

Five Directors, each Director must
own five shares as qualification.
Three form a quorum, no share
holder allowed more than fifty
shares, limited liability.
The right to enter or leave
same as experimentally, the water
to be taken at Bangkok falls

945

on Nanaimo River, the manner of arbitration and appraising of damages and right to lay down pipes and appropriate lands, &c., similar to that of Esquimaux; also same for injury to water works, for fouling water. Laying in service pipes taps, non-liability for damage done by water and right of access.

This Company has four years to construct and four years exemption from taxation, further provides Municipal Council of the City of Nanaimo are authorized to enter into any agreement regarding water with this Company for the watering of streets, fire protection, &c. Chinamen not to be employed

on Kananine River, the manner
of addition and opening
of damages and right to lay
down pipes and apparatus
be made to be similar to that of
the city of Portland; also same for
inspired to water works for forcing
water. Laying in service pipes
taps, nor liability for damage
done by water and right of access
this company has four years
to construct and four years
exemption from taxation
further provided Municipal
Council of the City of Kananine
are authorized to enter into
any agreement regarding water
with this company for the
watering of stock, fire pro-
tection, etc. Chinamen not to be
employed

945

employed.

Schedule of rates

	Water rate per month
Dwellings. For all houses occupied by a single family of not more than five persons.	\$2.00
For each additional person	.25
Hotels &c. - Hotels, Taverns and boarding houses (not including water for baths), for each bed for boarders and lodgers within the same, in addition to the rate for private families.	.25
For each day boarder	.20
Baths. Bathing tubs in private houses, for each tub.	.50
Bathing tubs in public houses, boarding houses, bathing establishments and Barber shops, each	1.00

Lodging

unpublished.

Schedule of rates

Boarding
house

Boarding for all houses occupied
by a single family of not more
than five persons.

\$2.50

25

For each additional person
baths, stoves, and
boarding houses (not including
water for baths), for each
bed for boarders and bathes
within the same, in addition

25

to the rate for private families.

20

For each day boarder

Baths - Bathing tubs in private

20

houses, for each tub.

Bathing tubs in public houses,

boarding houses, bathing

establishments and bathes

1.00

Shops, each

Subtotal

945

Lodging Houses. In addition to rate of family keeping the house, for accommodation for each person within the same		.20
Houses. For one house		1.00
Each additional house		.50
Shops, Saloons, and Offices. For one tap only		2.00
For each additional tap		1.00
Water furnished for manufacturing purposes to be supplied by meter at the following rates:-		
Per 1,000 gallons, provided the monthly bill is not less than \$5.		1.00.
Per 1,000 gallons, provided the monthly bill is not less than \$10.		.75
Per 1,000 gallons, provided the monthly bill is not less than \$50.		.50

to be kept in the house. In addition to the
of family keeping the house
for accommodation for each

person within the house

to be. For one house

each additional house

shops, saloons and offices for

one top only

for each additional top

water furnished for house.

for turning purposes to be sup-

plied by meter at the follow-

ing rates:-

per 1,000 gallons, provided the monthly

bill is not less than \$5.

per 1,000 gallons, provided the monthly

bill is not less than \$10.

per 1,000 gallons, provided the monthly

bill is not less than \$20.

946

Memorandum

for Mr. Douglas.

N^o 89890.

This man Lawrence seems to be difficult to please. Some years ago he made an entry for the N. W. $\frac{1}{4}$ of this Section and in May 1885 he applies to abandon it on the ground that there is a great deal of alkali in it, covered also with considerable water on his Preemption. He is granted permission to abandon it and make another entry. He then enters on S. E. $\frac{1}{4}$ of this same Section and now he turns round and asks that more favorable terms be given him, that this is not fit for farming

Memorandum

for Mr. Douglas.

Ms. A. 9. 2. 2. 2. 2.

This memorandum is intended to be difficult to please. Some years ago he made an entry for the H. W. of his section and in May 1822 he applied to abandon it on the ground that there is a great deal of alkali in it, covered also with considerable water on his description. He is granted permission to abandon it and make another entry. He then enters an L.S. of his same section and over he turns around and asks that same favor, able to be given him, that this is not fit for farming.

farming it, he certainly might have known when he made entry which was only a few months ago, what he was doing, and recommend that he be written to, under the circumstances cannot see grounds to alter the conditions in which he was permitted to ~~leave~~ his entry.

W. F.

forming it, he certainly might
 have known when he made
 copy which was only a few
 months ago, what he was
 doing, and recommended
 that he be written to, under
 the circumstances cannot
 be grounds to alter the con-
 dition in which he was
 permitted to have his
 copy.

W. J.

copy

941 765

947

Edmonton

Sept. 3rd 1884.

Sir,

I have the honor to enclose for the consideration and decision of the Land Board file and report in the application of R. Fuller for 365 acres of land in the neighborhood of Battleford, being composed I think of the NW 16 and the NE 17. 43. 16 W. of 3rd.

No further evidence was offered me at Battleford on behalf of said claim. One J. L. Macdonald called on me, stating he was Fuller's agent

A. Walsh Esq,

and

Comr. Dom. Land.

Winnipeg.

Man.

44

Sept 1884

Examination

Sept. 8th 1884

Sir,

I have the honor to enclose

for the consideration and
decision of the Land Board
file and report in the appli-
cation of D. Fuller for 300 acres
of land in the neighborhood
of Ballyfard, being comprised
I think of the NW 10 and the
NE 17. 18. 19. 20. 21. 22. 23.

No further evidence was
offered on behalf of D. Fuller or
on behalf of said claim. The
matters were closed on the
statement he was Fuller's agent.

and

Wm. J. Walsh Esq.
Care of the Bank
Ballyfard
Donegal

740

and asked if I was taking
 evidence in regard to such
 replied to in the affirmative and
 told that any evidence he
 wished to offer would be received
 and would be particularly
 liked on two points, one as to
 Fuller's residence there and
 the value of improvement at
 present. He replied Fuller was
 lived on it and there are no
 improvements beyond a few
 water power mills, if such could
 be called improvements.
 Fuller claims to have ex-
 pended \$5000 in a bridge
 over the Battle River. \$1500 in
 building \$1500 in fences and
 gave the use of his cultivated
 ground to the Indians.

and asked if I was taking evidence in regard to such, was replied to in the affirmative and told that any evidence he wished to offer would be received and would be particularly liked on two points, one as to Fuller's residence thereon and the value of improvements at present. He replied Fuller never lived on it and there are no improvements beyond a few rotten fence rails, if such could be called improvements.

Fuller claims to have expended \$6000⁰⁰ in a bridge over the Battle River. \$1500⁰⁰ in buildings \$1500⁰⁰ in fences and gave the use of his cultivated ground to the Indians.

as

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As to the bridge over the Battle River, that was put up solely for his own profit, and he expected it would prove a good investment from tolls, and use in forwarding supplies for his contract west. That it did not do so is his misfortune. As to Buildings they were erected in connection with his contract for the construction and maintenance for five years of the Telegraph Line from Fort Pelly to Hay Lakes, a few miles from Edmonton and were used for Telegraph offices, shelter for his men, and stock in connection with said contract.

If he rendered assistance to the Indians, it is probable the Indian Branch of the
Department

as to the bridge over the Bottle
 River, that was put up solely for
 his own profit, and he expected
 it would prove a good investment
 from tolls and use in forwarding
 supplies for his contract with the
 U.S. It did not do so in his estimation.
 As to buildings they were needed
 in connection with his contract
 for the construction and main-
 tenance for five years of the
 telegraph line from Fort Belknap
 to Fort Union, a few miles from Ft.
 Union and were used for the
 telegraph office, shelter for his
 men, and stock in connection
 with said contract.

If he rendered assistance
 to the Indians, it is probable
 the Indian Branch of the
Department

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Department will reimburse him on
 application whatever amount is
 right and proper.
 His claim that he has complied
 with all the regulations in force
 at date he took it up is about as
 the never was or better as the old
 requires, and if he is entitled to
 any consideration, very certainly
 for the Government who in every
 respect his conduct has been
 building up and enlarging and
 could be entitled to the same.
 After considering all the
 evidence offered and known,
 would recommend that this
 claim be not recognized to any
 extent.

I have the honor to be
 Sir,
 Your obedient servant.

(copy to Mr. Jones. dupl.)

After discussion with the Deputy

Department will reimburse him on application whatever amount is right and proper.

His claim that he has complied with all the regulations in force at date he took it up is absurd as he never was a settler as the act requires, and if he is entitled to any consideration, every contractor for the Government who in carrying out his contract has to erect buildings and enclose land could be entitled to the same.

After considering all the evidence offered and known, would recommend that this claim be not recognized to any extent.

I have the honor to be
Sir,
Your obedient servant

(sgd) W^m Pease. Supt.

After discussion with the Deputy

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Minister it was decided to sell
McGuller the land at \$2⁰⁰ per
acre, the price fixed for lands
in Battleford District

(sgd) W. P.

27/3/80.

The price fixed for lands
 in Butterfield District
 was \$2.00 per acre

P. W. (1880)

2/3/80

*unofficial*Ottawa, 27th March, 1886.

My dear Gaudreau,

Your private note of the 10th instant, just to hand, and I accept your statement as freely and as frankly as you have made it, and if in mine of the 20th ultimo, I have been more severe than circumstances warrant, I beg herewith to tender you an apology for the same.

As you are aware that when I start to say anything I do not mince matters, but although

P. P. Gaudreau, Esq.,
Edmonton.

That

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Wm. L. Garrison

Uttara, 27th March, 1884.

My dear Garrison,

Your private note of the 10th instant, just to hand, and I accept your statement as fully and as frankly as you have made it, and of its value of the 20th ultimo. I have been more severe than circumstances warranted, I beg leave to trust you are apologetic for the same.

As for our error that when I start to say anything I do not voice matters, but at the end of that

W. L. Garrison, Esq.
 Cambridge.

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that is my fault and perhaps
 a grievous one, if I am con-
 sidered I have done any one
 an injustice. I think I should
 be the first to remedy the
 same; I felt when writing
 the letter, which was a pretty
 long one, that possibly I had
 been unnecessarily severe, and
 had I had the time to re-
 consider the letter I possibly
 should have worded it in a
 manner not so objectionable to
 your feelings, but I may tell
 you I took the precaution in
 the matter to send it under
 cover

That is my fault and perhaps
a grievous one, if I am con-
vinced I have done anyone
an injustice. I think I would
be the first to remedy the
same; I felt when writing
the letter, which was a pretty
long one, that possibly I had
been unnecessarily severe, and
had I had the time to re-
construct the letter I possibly
would have worded it in a
manner not so objectionable to
your feelings, but I may tell
you I took the precaution in
the matter to send it under
cover.

cover to the Commissioner for his
and the Inspector's perusal,
requesting them not to forward
it if they did not consider that
I had expressed myself as I
ought; I received from the
Commissioner's office merely an
official acknowledgment of the
receipt of it, and that it had
been forwarded; but I do not
mention this to in the slightest
degree throw any responsibility
on the Commissioners or In-
spector's shoulders. I merely men-
tion it to show that I had
at the time of writing doubts
in my own mind whether it
was a correct letter to send
you under the circumstances.
As

from under the circumstances
 from a correct letter to send
 in and over which whether it
 at the time of writing doubt
 from it to show that I had
 the fact shown I merely men-
 in the Commission or in
 degree there any responsibility
 mention this to me the slightest
 been forwarded; but I do not
 receipt of it, and that it had
 official acknowledgment of the
 Commission's office merely an
 ought. I received from the
 I had expected myself as I
 it if they did not consider that
 respecting them but I forward
 and the Inspector's personal
 comes to the Commission for his

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As you say they are -
 persons have been furnished by
 reports which have reached
 the poor Colonization Society
 parties who have spoken to
 the over land matters there
 and cited particular cases
 where they thought the claims
 had been hardly dealt with
 or explanation from one of
 the facts of the case, the reply
 has been "if the agent at Col-
 onization had explained it
 that way to the claimant the
 decision would have been amicably
 accepted. Any of these parties
 will state that I have always
 endeavored from heartily as an
 agent, and with the best
attempts

As you say my impressions have been formed by reports which have reached me from Edmonton. Many parties who have spoken to me over land matters there and cited particular cases where they thought the claims had been hardly dealt with, on explanation from me of the facts of the case, the reply has been "if the Agent at Edmonton had explained it that way to the claimant the decision would have been amicably accepted. Any of these parties will state that I have always endorsed you heartily as an Agent, and still do so, and although

although mine of the 20th may
have struck you as very severe,
you will please consider it
written officially and not
in any way interfere with
any private estimation we
may have of each other. It
is sometimes necessary that
such cases as this should be
made official record. It is
advisable for both parties. I
have always stated that you
have the hardest crowd of people
to deal with that I had met in
Manitoba and the Northwest.
And I think you will bear
me out in this statement that
when I was Inspector of
Agencies if I found any official
conducting

Washington
 Agents of I found my office
 where I was supervisor of
 the out in this statement that
 but I think you will bear
 Manitoba and the Northwest.
 to deal with that I had but in
 have the hardest crowd of people
 have always stated that you
 advisable for both parties. I
 made official record. It is
 met even on this ground he
 is sometimes necessary that
 may have of each other. It
 my private estimation he
 in any way interfere with
 written officially and not
 your will please consider it
 have that for as best serve
 although mine of the 20th may

occurs
 friends disinterestedly of the
 between the best of
 request the same.
 of service to you, do not hesitate to
 give a good word from the hills
 but I beg to assure you of at any
 of at all, both for and yours,
 kind me much in contact
 my duties will probably not
 said to his face. In the future
 have if as hard than I have
 anything behind his back more
 I have never yet said of one spent
 the same and more than this that
 never been speaking in praise of
 his work well in hand, I have
 business like manners and keeping
 conducting his office in a

conducting his office in a business like manner and keeping his work well in hand, I have never been sparing in praise of the same and more than this that I have never yet said of an Agent, anything behind his back more harsh if as harsh than I have said to his face. In the future my duties will probably not bring me much in contact if at all, with you and yours, but I beg to assure you if at any time a good word from me will be of service to you, do not hesitate to request the same.

Between the best of friends misunderstandings often occur.

occur, but between gentlemen
all that is required is mutual
explanation to restore former
friendship. Compliments to
Mrs Gaubreau and family
and

Believe me
Very truly yours,

and
 Mrs. Hanson and family
 friendship. Compliments to
 explanation to sister former
 all that is required is mutual
 occur, but between gentlemen

Very truly yours,
 Believers are

221. On the 9th December 1879 the hon. Joseph W. British, C.M.G., was appointed Resident Agent for British Columbia his duties to advise the Department of the Interior in the administration of railway lands and under instruction from Department of Railways and Canals to supervise the expenditure on railway construction and the general oversight of all works, &c., that would be of service to the Dominion Government.

On the 25th February 1880 he was appointed Agent for the Department of the Interior in conformity with the memorandum from the Minister of the Interior dated 16th February 1880. On the same date 25th February an Order in Council is passed notifying the Government of British Columbia of Mr. British's position and duties.

[illegible]

уезд

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Attention might be directed particularly to classes 1, 2, 4, and 5, of the foregoing memorandum. On the 11th of October 1883 Mr. Butch appears to have written to the Minister probably under confidential cover his letters are not on file.

On the 10th November the Minister of the Interior telegraphs him that he is authorized to take the steps suggested in his letter of foregoing date 11th October for the disposal of the land belonging to the Dominion Government within the railway belt along the line that is now located on the main land. He is told to be as economical as possible in his re-organization compatible with efficiency.

On November 13th he telegraphs the Minister of the Interior as follows.

"I understand your telegram 9th inst., authorizes me to issue replies to land applicants as per form submitted with my letter

" 11th

et it pinn maitnill
 al juleluseitroq beaverib
 et j. a. bmo. + .e. l. daddol
 .mubmarament priopereq
 .m. 2881. keatillu j. 11. et no
 suat al dloppa stitut
 keldinim et al mittikel
 .ifra reknu juleluseitroq
 dleitet dit rova lottnek
 .elip no tar et
 et belmavat 11. et no
 .et kivitit et j. keldinim
 di et tar mirt dloppa
 keld et et al bevirartus
 j. dleitet dit ni beldeppud
 .keatillu 11. et priopereq
 bmat et j. dloppa et tar
 maimim et al priopereq
 et mittiu tnummavat
 et prolo thet juleluseitroq
 lottnek war di tar mit
 di et . bmat mirt et no
 lottnek et al et al
 . et dit ni dleitet et
 dleitet maitnill
 .juleluseitroq
 .et et 11. belmavat no
 et j. keldinim et dloppa
 .dloppa et kivitit
 .et rova bmat dleitet
 bevirartus . 11. p maitnill
 bmat al dleitet dleitet al et
 maitnill et dloppa
 dleitet juleluseitroq dleitet

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" 11th September should, stat-
 "ing price at one dollar for
 " Homestead lands, also to
 " engage service of which.
 " ever of the persons named
 " in my letter of 19th October
 " I find most available as
 " Chief Assistant, and of
 " three clerks at rates
 " stated. Is this correct?
 " I shall act immediately
 " on receiving your reply."
 (Signed) Joseph W. Trutch

He also submitted for
 the Minister's consideration
 a form of reply to appli-
 cations for lands. In the
 13th November the Minister
 replied approving of his
 telegram. makes change
 of Dominion Lands Act
 1879 to Dominion Lands
 Act 1882. On the 15th No-
 vember the following
 order in Council is
 passed.

-töld, blvark, belmäljet #11 "
 -af kallab ero -to eivof pmi"
 -at adlo, abmat baieldmab "
 -deitur jf eivred epapant "
 -bemar kradlef ut jf reu "
 -reväl #pi jf rittet jmr mi "
 -do elvablious -tant kmif b "
 -jf bmo -tmotdidd jfird "
 -lilal -to dlvell luv "
 -? -tallat dilt d . bittat "
 -jlitvibemmi -to elvab "
 -jlfet luvj pmielut ro "
 -itvab .at lqvof (bempib)

-af bettirvud adlo utb
 -mälarebidra, beldimitt utb
 -ilqps at jlfet jf mraf d
 -ut ml . abmat af draittas
 -beldimitt utb belmvar #11
 -dilt jf pmielqvut liltet
 -epmark liltam . mvarpelt
 -to abmat mairimot jf
 -abmat mairimot at p12
 -at #11 ut ml . 8881 to
 -pmiellaf utb belmab
 -li liltvab . ni . rebre
 . beddof

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It will be noticed in the foregoing Order in Council, that Mr. Butch is to discharge the duties of Commissioner of Dominion Lands, ascertain what lands are at the disposal of the Dominion Government. That Mr. Butch is authorized to re-organize the Dominion Lands Service for British Columbia and the scale of prices to be paid officials is specified.

The Order in Council 18th November is forwarded him on the 24th of that month. He is told it is sent to him for his information.

On the 1st December 1883, Mr. Butch writes to the Minister of the Interior and he asks among other things in this letter that he may publish in the British Columbia newspapers those sections of the Dominion Lands Act which apply to homestead rights in British Columbia, and call public attention thereto. He states he does

ut me beatum et lium fl
 .mull. nē. rebro priopelaf
 ā di dētut flm tont, li
 jo dētut et spradidib
 mimmō jo reraiddimmo
 niōtledō, abmōt nāi
 et to eto abmōt tont
 mimmō et jo ladapdib
 flm tont. Trammōvāt
 ā bēpīdētū di dētut
 mimmō et pīmpō. et
 dētut flm dētut abmōt
 elod et bmo pīdētū
 .iffō bīdō et ā dētut fl
 . bēpīdētū di dētut
 liumō. nē. rebro et
 bēpīdētū di dētut flm
 tont jo flm et nō mī
 tmed di di bāt di et. Atmō
 .amōpni dēt flm mī ā
 .nāi

8881 dētut flm et nō

et ā dētut dētut flm
 bmo dētut et jo rēdīm
 pīmpō dētut pīmpō dētut et
 pīmpō et tont dētut dētut nē
 dētut et nē dētut
 dētut dētut dētut
 mimmō et jo dētut dētut
 .jo dētut tont abmōt nāi.
 dētut dētut dētut ā pīmpō
 .dētut dētut nē
 .mīllo dētut dētut bmo
 et dētut flm . dētut nāi
 dētut

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does this because there seems to be a doubt in the mind of many or rather ignorance as to the provisions of the Dominion Lands Act and he states that as it is particularly desirable this apprehension should be removed with as little delay as possible that the answer to his suggestion be sent by telegraph. On the 19th of December 1883, he writes to the Minister of the Interior and in it he refers to a private letter of the Minister's of the 17th November, in it he states that no official communication had yet reached him giving him definite instructions as to how he is to deal with the lands and that in the meantime he had refrained from taking any definite action beyond publishing the form of reply to applicants. In this letter he also speaks of timber matters, he states that he had secured the services of Mr. Aikman on the salary of

\$2800⁰⁰

\$2800⁰⁰ per annum, and within a few days Mr Aikman will commence his work.

On the 31st of January, 1884, he was written to and told that on the 24th ultimo (that evidently should have been the 24th November), there was enclosed to him a Government Order in Council, adopting his report on the subject of Dominion Railway lands in British Columbia. Instructions were sent him by telegraph as to the manner in which timber matters were to be dealt with, that the Minister has under consideration a scheme intended to be permanent, in connection with timber matters in British Columbia generally. It concluded that the Minister is glad to know that the services of a competent and experienced officer have been secured to take over and investigate all existing claims against the lands in the Railway Belt, and approve

lomo, munnas ref $\approx 008\frac{1}{2}^{\circ}$
 In quibz ref a mittre
 emmms lile mmmle
 . Hov dit
 pounof $10^{\circ} 10'$ et no
 lmo a mittre lile et 100°
 amille $10^{\circ} 10'$ et no fort blot
 blvld yltrebit fort)
 (blmmt $10^{\circ} 10'$ et met met
 a lode lile lile et
 . lile lile lile a mit
 pmtgabs, liamv. ni. reb
 lile et no lile dit
 pounof mmmms 10°
 . mmt lile ni lile
 lile lile lile . dit
 lile lile mit lile
 lile ni lile et a lile
 et a lile lile lile
 lile et fort, lile lile
 mmt lile lile lile
 et a lile lile a
 mmt ni, lile
 ni lile lile lile
 . lile lile lile
 fort lile lile . lile
 et lile lile et
 lile et fort want
 lile lile a
 met met lile lile
 lile lile et lile
 pmtgabs lile lile
 lile et lile lile
 lile, lile lile et
 lile

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approve the steps taken by Mr. Butch in that action.

On the 8th January 1884 "Minister's decision respecting telegram 19th January is in negative as to Presumption.

(Signed) A. M. Burgess

Secretary Holbuck ac-
knowledgeed the receipt of
the Order in Council, which
directly alluded to the
Order in Council of the
15th November. It might
be mentioned here that on
the 26th November 1883 Mr.
Butch inserted in the
Newspapers an advertisement
which was tantamount
in effect to notifying
the public that the Land
Office was established and
receiving applications
for land. In January 1884
the following telegram
is sent to the Deputy
Minister of the Interior
"Yes, I certainly think
better defer action as to
timber and also as to
lands generally until
I send Provincial Land
Act

meist d'gild etz walpge
 wort ni d'wurdt etz jst
 . naiten

gumme of 178 etz n0
 naidise d'ldimint 4881
 1781 mawpelt pntleqder
 wulper ni di gumme of
 . naitenmeit 1781
 1781. n. d. (berpib)

. 1781 mawpelt pntleqder
 1781 pntleqder d'pntleqder
 1781. lianwa. ni. 1781 etz
 etz 1781 d'ldimint gumme
 etz 1781 lianwa. ni. 1781
 1781. 1781. 1781. 1781
 1781 etz d'ldimint etz
 1781 1781. 1781. 1781 etz
 etz ni d'ldimint d'ldimint
 d'ldimint ni d'ldimint
 1781 d'ldimint d'ldimint
 1781 etz d'ldimint ni d'ldimint
 1781 etz d'ldimint etz pnt
 ni d'ldimint d'ldimint
 1781 d'ldimint pntleqder
 1781 gumme of n0. 1781 1781
 1781 pntleqder pntleqder etz 1781
 1781 etz etz 1781 di
 1781 etz 1781 d'ldimint
 1781 pntleqder d'ldimint
 etz d'ldimint 1781 d'ldimint
 etz d'ldimint 1781 d'ldimint
 1781 pntleqder d'ldimint
 1781 d'ldimint d'ldimint
 1781

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Act is now under consideration and report my opinion, but as many applications received are for lands around Railway terminus, I think expedient I should at once make public by advertisements in newspapers that Homestead rights at one dollar per acre will be restricted to farming lands only and that lands of special value on other accounts as specified in subsection four, Section Twenty-seven (27) Dominion Lands. See my letter first ultimo. perhaps better publish Homestead clause of Act as proposed in that letter. Answer awaited".

On the 16th February he is telegraphed that his suggestions in the foregoing telegram have been approved by the Minister.

On the 19th of February he sends the following telegram.

"Are persons obtaining
homestead

idroo xelomus war dlo
 -legel bno raillores
 do twl, rairings jnn
 draillailoppo jnnom
 dloot of ero beuiler
 -rel joulisrt bnuwo
 nileqre drit b, durnit
 etam ero to blward b
 -edilwubos jnt silduf
 leqapdunt ni dtnem
 dtpir baillernat -lort
 ero rel rollab ero to
 at baillernat et dliu
 jnto dloot pnnituf
 nileq to dloot -lort bno
 dnuwoos relto no eulo
 -edilud ni baillernat do
 dloot raillet, twaf rail
 rairimroes (5) nrued.
 dliu rellet jnn sed -dloot
 rellet dlootrel, amittu
 baillernat dliu
 baillernat do to to dliu
 dliu. rellet -lort ni
 "baillernat
 et joulisrt et, et no
 dliu -lort baillernat di
 -rel et ni draillernat
 nrued dliu mairpallit pnnit
 .dliu dliu jnt baillernat
 joulisrt to p, et no
 pnnit dliu dliu et
 mairpallit
 pnnit dliu dliu et
 baillernat

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homestead rights under provisions of section twenty-seven Dominion Land Act eighty-three, to have further privilege of pre-empting adjoining land as provided in subsection two, if so, at what price. Such further privilege of pre-emption was not intended to be included in my suggestion by letter 11th September last, nor do I now recommend such concession, I think important to define forthwith intentions of Government in this respect in the notice I am about to publish pursuant to your telegram of the 16th instant. Please Telegraph Minister's decision."

And the telegraph again on the 26th "I await answer to question by telegram 19th inst., respecting pre-emption privileges before publishing notice about Homestead rights. Can you please Telegraph Minister's directions on this point." And on the 28th February he writes
the

reborn dithpit baiddemat
 jmuu milled to draidvaf
 lbonat mairimble mued-
 rust at, lurt. jiltpit 7ad
 .elg je pelvuf rertvuf
 lmat pnniojlo pntipme
 milled m bekivaf do
 .eluf tatus to ad ji, out
 je pelvuf rertvuf rust
 .mi far low miltymet
 mi bekulmi et at bekut
 rertvuf milled pnd jmt
 ab far dlat redmiltet¹¹
 dand lommmer war b
 .mi dunt b, milledmat
 .dltuf enifet at tnotuf
 muelat je draitmetni dltuf
 et mi dteget dltuf mi tmt
 duf at toud mo b dltuf
 ruf at touduf dltuf
 .tmt¹² et je miltet
 dltuf dltuf dltuf
 ".miltet
 miltet dltuf et bnd
 .mo tmt¹³ et m
 .elt je miltet at rust
 pntipmet, dltuf¹⁴ miltet
 et pelvuf miltet
 .eluf pntipmet eluf
 .dltuf baiddemat toud
 dltuf dltuf eluf mo
 m dltuf dltuf
 et m bnd ".tmt¹⁵ dltuf
 dltuf et pntipmet¹⁶
 et

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the following-

"I am awaiting a reply
"to my telegram to you of
"the 19th instant, as to pre-
"emption rights being
"granted on Dominion
"Land, in addition to
"Homestead rights. This
"concession is limited I
"observe in Manitoba
"and the North West to the
"period ending 1st Janu-
"ary next, and should not
"I think, be granted at all
"in B. C. If it is not to be
"granted here this should
"at once be stated to the
"public."

On the 16th of March he is
telegraphed as follows
- Minister's decision res-
- pecting telegram 19th Feb-
- ruary is in negative as
- to preemptions."

On the 12th March 1884
he addressed under con-
fidential cover a letter to
Sir John Macdonald and
he says in conformity to
confidential letter of Sir
John Macdonald 28th Sep-
tember, 1883, he enclosed
herewith his ideas of the
system to be adopted in
dealing

-prijvaltof et
 jloper o priuipuu mo b"
 jo wof at marpellu jure at"
 -wof at de jnoldni p1 et"
 priuip et p1r naitpme"
 minnimo no bilmorp"
 at naitlibbo ni, lbmo b"
 lid" . et p1r baidemo b"
 b bilmimil di naidemo b"
 naitlimom ni jure b"
 et at de wof et bmo"
 -wof p1 priuip baid"
 far blward bmo jure jure"
 llo to bilmorp et, nait b"
 et at far di jure . b. p. ni"
 blward lid et bilmorp"
 et at baid et jure to"

"idid"

di et nait jo p1 et no
 jure et de baidpelli
 -det naidib baidimil"
 -det p1 marpellu priuip"
 de naitpore ni di jure"
 "naitpme et"

+881 nait p1 et no

-nait nait baidlibbo et
 at nait o baid baidlibbo
 bmo baidlibbo nait lib
 at jure nait ni de et
 lib jo nait baidlibbo
 -det p1 baidlibbo nait
 baidlibbo et +881 nait
 et jo de di nait nait
 ni baidlibbo et at nait
 priuip

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dealing with lands in the Railway Belt, he goes on to state that he sent a duplicate of the same to Sir David Macpherson. This is evidently the copy of his land bill which forms the basis of file 86810.

On March 26th 1884 he sent the telegram to Sir John stating that he deferred action until instructed what regulations are to be enacted, and asked to be telegraphed.

On July 2nd 1884 the Secretary of the Department is instructed by Sir John Macdonald to instruct Mr. Brutch to proceed with the survey in conformity with his memorandum of the 12th of March.

On the 14th of March 1884, he writes enclosing copies of the British Columbia Gazette containing advertisement relative to the Dominion Lands in British Columbia, states that copies of the same have been published in the

ni dlo mot Atiue pmilob
 dep et, tlet juuulio et
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 - et tlet tlet tlet tlet
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 ni dlo mot tlet tlet et at
 tlet, tlet tlet tlet
 emod et jo tlet tlet
 ni tlet tlet tlet tlet
 et

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the local papers, this publication so far as it goes is just the Homestead provisions of the Dominion Lands Act of 1883.

On the 12th May 1884 one William Smith telegraphed to Sir John Macdonald urging that Dominion Railway Lands be placed on the market forthwith, that hundreds of emigrants are trying to obtain land but cannot to their great dissatisfaction.

On the 14th May 1884 his letter (Mr. Butcher) of the 14th March is acknowledged and he is told that the conditions mentioned in his advertisement upon which settlers may obtain Homestead rights within the tract conveyed to the Government of Canada may be carried out until further notice, that it was impossible during the last session to introduce a special bill for the same.

On the same date Smith is telegraphed that

duq ditz, dreyer loral et
 dwp ti lo raf ad railleit
 -alg baillern et ditz di
 mainmole et fo lraidit
 .8881 fo dlo dbrnab

+881 juant ~~481~~ et no
 -ell etimbe maillet et
 -som mof rit at dreyer
 -ole ditz priper blarab
 dbrnab juant ditz mainm
 dbrnab et no blarab et
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 -mo ditz ditz ditz et
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 .railleit-

ditz +881 juant ~~481~~ et no
~~481~~ et fo (ditz ditz ditz) ditz
 ditz ditz ditz et ditz
 -mo et ditz ditz et et ditz
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 ditz ditz ditz ditz
 -mo ditz ditz et juant
 ti ditz, ditz ditz ditz
 priper ditz ditz ditz
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 et ditz ditz ditz et
 .ditz

ditz ditz et no
 ditz ditz et ditz
 ditz

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that Mr. Butch has full authority to dispose of Dominion Land in the Railway Belt, and that he has been telegraphed to that effect.

On the same date a previous telegram is repeated to Mr. Butch and also the Minister's reply to Smith is sent to Butch.

On the same date the Deputy Minister asks Mr. Butch if he is not disposing of land in the Railway Belt in accordance with notice in the British Columbia Gazette of the 13th March.

On the 26th of May the following message is sent by Mr. Butch addressed to the Minister of the Interior. "Your telegram of 14th inst. received on my return here from Hampton. Have since seen Mr. Smith. I did not consider myself authorized to dispose of Dominion Land generally. Answers have been sent to Squatters and other applicants for land giving general assurance

leaf lost about 100 ft
 of depth at 100 ft
 in the main
 lost one, the
 barograph met lost at
 100 ft

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assurance of Homestead rights under the conditions stated in notice in British Columbia Gazette 12th March; but many questions have arisen as to such Homestead rights also as to timber mining and water rights some involving large interest which Dominion Lands Act affords no precedence for determining and which I do not feel warranted to decide upon my own judgment without distinct official authorization I supposed Order in Council under Settlement Act of last session necessary for dealing with these lands and expected to receive commission to act and directions respecting administration and sales I write more fully by tomorrow mail."

On the 27th of May the Secretary Mr. Holbeck acknowledged the receipt of instructions of the 14th of May.

On the 26th May 1884
Mr.

15.

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Mr. Brutch writes to the Minister of the Interior in reference to his telegram of the 14th inst., and he states that he did not consider himself authorized to dispose of Dominion Lands generally, there were such large interests at stake, that he did not feel warranted in deciding on his own responsibility without definite official authorization, he supposed that the Order in Council for dealing with these lands under the Settlers Act necessary.

On the 28th May 1884, he writes a long letter addressed to the Minister of the Interior, and he goes on to state that the Settlement Act of last session of Parliament of Canada gives power to the Governor in Council for administering Railway lands and that authority to deal with these lands can be exercised under power of such Order in Council.

[illegible]

+881 juanth 82 ent no
 little part a little at
 building at a better
 kept at home, fairer at 10
 - little at 1000 at 10
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 - at 10 at 1000 1000
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 1000 1000 1000 1000

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He suggests that the draft bill which he sent him on 1st March be adopted by Order in Council, which if done would enable him to dispose of these lands and he asks that he be appointed Commissioner in British Columbia.

He goes on and propounds several questions relating to what lands are open for Homestead entry, that is, should land valuable for its timber be granted as Home-

steads, also as to rates to be charged for timber recommending that certain lands be offered by auction. He says he hopes to receive at an early date authority to act in accordance with his recommendations in these respects, he appends also a draft memorandum prepared under his direction by Mr. Aitman which contains some details as to the matters above referred to, not mentioned in this letter.

This memorandum

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f

of Mr. Aikman is an elaboration of Mr. Brutch's views, he goes on to state that there is no law in force in the Province under which these lands can be administered, that the instructions heretofore received by the Dominion Government Agent appear to have been founded not upon any statute in force in that province, but on the assumption that the provisions of the Dominion Lands Act of 1882 govern the dealings of such lands. He goes on to state that it is needless to state that that Act applied wholly to Manitoba and the Northwest Territories; he further states that the draft bill of Mr. Brutch provides everything necessary for the successful administration of Dominion Lands in British Columbia, is well adapted to meet the wants and requirements of settlers generally, that a Local Agent and Crown Timber Agent should at once be appointed

[illegible]

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appointed for the New West
 minster District and later
 for that of Yale. He stated
 that at this date "all the
 "surveyed lands in New
 "Westminster and Yale
 "Districts disposed of by
 "the Provincial Govern-
 "ment by Crown Grant or
 "Presumption have been
 "ascertained," that the ne-
 cessary maps have been
 prepared, that by the 31st
 May all the records of un-
 surveyed lands in the
 Yale District will be com-
 pleted, that the field notes
 are being copied. He
 stated that he has receiv-
 ed upwards of 1200 appli-
 cations for land from
 squatters, but says that
 the Dominion Lands Office
 should be fully re-organ-
 ized, that all the informa-
 tion in New Westminster
 District has been obtain-
 ed and compiled (I judge
 from Mr. Aitman's memo-
 randum there was nothing
 to prevent action being
 taken except that Mr. Gault
 considered he should be
 appointed Commissioner).

On

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On the 4th of June the following telegram is sent to Mr. Butch.

"Minister approved your proclamation in British Columbia - Gazette" of thirteenth March, but understood you would deal with lands falling to Dominion Government in accordance with provision of that proclamation. You have full authority to do so. Airman and other land officials were appointed to enable you to administer lands, when any case arises about which you are in doubt refer it here."

Nothing more appears to be done until the 5th October when the following telegram is sent him "Minister requests you to come to Ottawa early in January on public business referred to in your letter to Sir John 25th September."

In conformity with the telegram of October the 5th Mr. Butch reached Ottawa
early

etz enuf jo ¹⁷ H etz no
 di mosepet pmiwallef
 ..deturbim at tmed
 wop beawepgo rēdinim
 dditib ni naitomaleaf
 jo "ettegab- ailmulef
 tūf dāwāt tneūvīt
 blous wop boādreleam
 pmillaf dāwāt tūf lāb
 ..mewāl nāimimlāt ā
 tūf emolekēd ni tmed
 -af tūf jo nāidwaf
 suwt wop . naitomale
 ad ab ā ptiwātūf lūf
 bmo tētō bmo māmūf
 bāimēpgo wop dāwāt
 -mimbas ā wop dāwāt ā
 pūm mētū dāwāt tēd
 dāwāt tūf dāwāt dāwāt
 tēf tūf ni wop wop
 ..et tē

dāwāt tūf pmiwāt
¹⁷ etz litmē wop et ā
 -wālf etz mētū tēd
 mītmed di mosepet pmi
 ā wop dāwāt tēd
 mē pūf wop ā wop
 idēt tēd wop pūf
 wop mē ā tēd dāwāt
 -get ¹⁷ mōf tē ā tēd
 ..mēmē

dāwāt pūf mē
 et tēd jo mosepet et
 wop dāwāt tēd
 pūf

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early in January, 1885,
the Land Bill was discuss-
ed and on 23rd February, 1885,
he wrote a letter to the Min-
ister of the Interior stating
that he had read over care-
fully the revised copy of
the proposed Regulations
affecting Dominion Lands
in Railway Belt in
British Columbia and
in accordance with his
instructions, he submits
the following observation.
Thereon, he stated that
these Regulations are in
substance for the most
part identical with the
draft bill submitted by
him the previous Spring.
He says the only diffi-
culty he perceives likely
to occur of administer-
ing the Regulations is
the question of determin-
ing what land shall be
open for Homestead entry
and what shall be the
rights of Homestead settlers
to the timber on the land
entered as Homesteads.
He proposes that a careful
inspection be made by
competent and trustworthy
Agents

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Agents as to determine what shall be open for Homestead entry and what shall be reserved as timber land. He also says that it is desirable that it should be determined whether the rights of acquiring land by Homestead entry shall not be limited in duration. The rest of memorandum has reference to surveys and surveyors in which he objects that the services of three surveyors whom he had employed should be dispensed with.

On April 20th the regulations for the disposal of timber lands in British Columbia came into effect. On the 16th of May he is written to enclosing six copies of these regulations and told to have the same published in the British Columbia Gazette. On the same day, 16th of May, he sent the following telegram,

"No instructions have reached me respecting regulations by Order-

in

. Hilleb al do ad dinnep
 mego et leard totus enim
 lomo pūne baidermōk sef
 beuvedet et leard totus
 aldo et. lomo redmīt do
 elowided li ti totus dūad
 . Hilleb et blward ti totus
 dūpīr et rettētus bernim
 pū lomo pūne pūne pūne
 leard pūne baidermōk
 . stul mi lailimīt et tar
 lamer pū ider et. nait
 amerefer dōt mūlomo
 wjowud lomo dūwud al
 et totus dūpīr et dūpīr mi
 dūpūwud et pū dūwud
 bepalome lomo et mātus
 nū lōdnepīl et blward
 . et et dūpīr nū

labapīl et sef dūpīl
 lūlīrōt mi dūpīr redmīt pū
 . pū alnī amōd alnūmūd
 li et pūm pū dūpīr et nū . sef
 pū pūpīlome al nūlīr
 lūlīrōt et dūpīr pū dūpīr
 amōd et sef al blō lomo
 lūlīrōt et mi beidīlūp
 nū . ittepāt - alnūmūd
 pūm pū dūpīr pū amōd et
 . lūlīrōt et sef et sef et
 . mōp
 sef dūpīlūmūd al
 pūlīpīl et beidīl
 . lūlīrōt pū dūpīlūp
 mi

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in Council published in Gazette just received here. Please direct me what functions you may desire me to assume thereunder and authorize me to act accordingly."

On the 18th he is sent the following telegram. "You are authorized to give effect to the Regulations recently gazetted instructions by mail today."

On the 19th May he is written to and the letter closes with the following. "I am directed by the Minister of the Interior to inform you that you are authorized and required to give effect to these Regulations and to perform all the duties which under the Regulations devolve upon the Commissioner of Dominion Lands."

On the 6th of June 1885 he writes to the Deputy Minister and acknowledges the receipt of the letter of the 10th, and states

that

berdibung liemad. ni
 buuer-tuif itt-pott ni
 en-tuuf edel. eret
 woz drautunf-tortu
 -do at en elideb-puom
 bno rebanuere-t annud
 -so tas at en spier-tuuf
 -tuuf di et ^{tu} 81 et no

-molepelt pnuallaf et
 at be-pier-tuuf et woz
 -elupet et at-tuuf tuip
 bitt-pott ptt-neet draut
 liam ptt draut-tuuf
 -tuuf di et puom ^{tu} p1 et no

stillet et bno at met-tuuf
 pnuallaf et tuuf de-bat
 mit et ptt be-ber-tuuf mott
 -ni at re-ber-tuuf et ptt re-tuuf
 et woz-tort woz mott
 be-ber-tuuf bno be-pier-tuuf
 -et edel at-tuuf tuip at
 -tuuf at bno draut-tuuf
 tuuf de-tuuf et et mott
 draut-tuuf et re-bno
 -mott et tuuf re-bno
 mott-tuuf ptt re-tuuf
 -tuuf di et puom ^{tu} 81 et no

tuuf-tuuf et at de-tuuf et
 -tuuf bno re-tuuf
 -tuuf et ptt re-tuuf et re-tuuf
 de-tuuf bno, ^{tu} 81 et ptt
 -tuuf

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that he has had it published in the British Columbia "Gazette". (It will be noticed in that letter he makes no allusion to the instructions sent him on the 19th May).

On the 19th June an Order in Council is passed extending the Homestead privileges from the 1st July, 1885, to the 1st July, 1886.

On the 20th June, 1885, Mr. Ditch writes to the Minister of the Interior in which he acknowledges the letter of the 19th of May and states that he finds it difficult to determine what course should be taken by him and under the instructions he would be very glad to receive more specific instructions. He enclosed with this a memorandum addressed by him to Mr. Aikman and Aikman's reply thereto, setting forth his, Aikman's views in which he states he concurs generally, and recommends that steps be taken to carry Aikman's suggestions

into

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 -ad dillit et ni berdit
 et liru -tort "tilligort" virmut
 et rittet tort ni berdit
 et at raitull at dertom
 mit -tort draitullit

(jurt et p, et m)

-m no enuf et p, et m
 laadda di liomaa . ni . m
 laaddem et priomilp
 jurt et muf depelirig
 .2881, jurt et at .2881

m .2881, enuf et m
 dimit et at dillit dertom
 dertom ni raitull et p rait
 rittet et depelirig et
 dillit lomo jurt et p, et p
 -turt et dertom et -tort
 edda dertom mirtull at
 mit jurt mirtull et blurt
 -turt et dertom lomo

jurt et blurt et dertom
 isep dertom mirtull at blurt
 -m et . draitullit et
 -turt et dertom dertom
 jurt dertom mirtom
 lomo mirtom et mit
 dertom jurt dertom
 dertom dertom dertom
 dertom et dertom ni dertom
 jurt dertom dertom et
 -tort dertom dertom lomo
 jurt at mirtull et dertom
 dertom dertom dertom

alm

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into effect immediately. The memorandum from Mr. Butch to Mr. Aikman contains the following two questions:- What are the powers conferred, and the duties devolved upon the "Commissioner of Dominion Lands" under these Regulations. And what steps should be taken in the first place by such Commissioner, or by any officer acting on behalf of the Commissioner, in fulfilment of such duties?

2. What acts are to be done, or what proceedings taken by the officer acting as Agent of the Minister of the Interior in British Columbia to give effect to these Regulations?

Mr. Aikman stated that it is necessary under the instructions that the Commissioner of Dominion Lands should be appointed by Order in Council, and in reply to the second question that he does not see that any act can be done or proceedings taken by the

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The officer acting as Agent of the Minister of the Interior until a re-organization of the Dominion Land Office has been effected and other offices established. He goes on and says the preliminary steps should be taken and should be as follows:

"The formal appointment of the Commissioner of Dominion Lands, and the conferring upon and assigning to him by Order in Council, under Sub-sec. 3 of Clause 2, such powers and duties in addition to those set forth in the Regulations, as it may be intended that he should exercise and perform in connection with such office."

The appointed Local Agent and the organization of a Land Office for New West Minister District and then goes on about surveys and field notes. (It would appear that Messrs. Brutch and Ailman were aiming at forming themselves into a Land Board for managing

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managing of affairs. Mr. Aikman evidently does not expect to perform as duties as Land Agent.

On the 20th August a lot of amended Regulations are sent to Mr. Butch. In April, 1885, a Train Telegram passed between the Deputy Minister and Mr. Butch, having relation to the determination of Homestead privileges, 1st July, 1885. On the 5th September, 1885, Mr. Butch writes to the Minister of the Interior, but it is wholly a reference to a Local Act, at least an Act passed by the Local Legislature, as to what effect it may have on land within the Railway Belt and he recommends its disallowance. He also speaks of the sales made by the Local Government to Messrs. Farwell and Wright. This is acknowledged on the 17th November.

On the 10th February 1886, Mr. Aikman is written to and told to report directly to this Office as to what

M. Linoff to prismatic
 has yellowish mottled
 is mottled at base far
 Trop. knob is ditto
 is duped to be at the

- alipat belommas je tal

1881, livgud mē. Nēturā
 laddag lmarpellē mīd
 iŋ pīlupēlē mēvīlē
 at, Nēturā! Nē lano kēlē
 lēlē at ā naitalēl pō
 bōldemōk 10 naitamim

① 7881 July 4th, Deposition

[illegible]

Adversus de mammiliis. An. 288.
 ibi. Hesperus al. lat. hinc al.
 al. al. al. al. al. al. al. al.
 f.

949

he has done since his appointment to give effect to the Regulations, and to what extent entries have been granted within the Railway Belt.

On the 1st March he replied, stated that this is the first letter he has ever received direct from the Department on the land matters, that he did not know that he was expected to report to the Department, that on referring the letter to Mr. Brutch for explanation on this point that he was told by Mr. Brutch it was not his duty to report to the Department, that he was his superior officer and that he was to make his reports to him (Mr. Brutch). He stated that he had not been in a position to take steps independently of Mr. Brutch towards giving effect to the Regulations, that his views in respect to the same were submitted in a memorandum to Mr. Brutch 15th June, 1885.

The

go dit eamid erab dat et
 a seffe sup a Amemlag
 a lomo, draithupet et
 sot diltne Inetpe totet
 et mitius bilmotp meel
 .Thet yuulit

et drom⁷ et no

dit tot dilted, diltet
 dat et rittet tref et di
 malf trefik bueier reu
 et no Inemlaget et
 et tot, diltet bmo
 et tot want tot bil
 trefet a biltetp dous
 tot, Inemlaget et a
 a rittet et piltet no
 -omlaget tot diltet tot
 tot trefik dit no tot
 diltet tot tot dous et
 a jiltet dit tot dous ti
 Inemlaget et a trefet
 diltet dit dous et tot
 dous et tot lomo diltet
 a trefet dit et tot a
 diltet tot. (diltet tot) mit
 ni meel tot tot et tot
 diltet tot a totitot a
 tot tot yultmelomelom
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 draithupet et a seffe
 trefet ni diltet dit tot
 diltet dous erab et a
 mulomelomelom a ni tot
 .7871, malf⁷ tot tot et

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The memorandum to which he alluded has been already quoted.

On the 2nd March he reported to the Deputy Minister and required the same should be considered confidential. He says that apparently he had a staff of officers sufficient to carry out the purposes intended namely - Mr. Kenzie, Fletcher and Campbell - the latter however from confirmed habits of drunkenness was of very little use to him. Fletcher, a most valuable clerk, was taken from him in May, 1885, to Mr. Butch's office, leaving him with but one clerk. He says that it is true that Mr. Hain while waiting for instructions voluntarily placed himself at his disposal although he was never officially placed under him. He also furnished his letter of instructions dated 1st December, 1883, from Mr. Butch, in which it is stated the following.

"The

al muubmorumm et
 dat debello et daitu
 . laithup jlasello meo
 et dorum¹⁰⁰⁰ et me
 mit jilugello et al elagel
 et deriuper bmo keldi
 idra et bludid emod
 et . laithubifrao kereb
 jiltneoppe-latt djeu
 deiffu jo jfotd o last et
 tus jfotd al tneiffud
 bebneini deagruig et
 dilt, iigmet. m. jilumet
 ettat et . lilegmao bmo
 . mifrao maff reuwa
 ddemumk jo diltat lo
 al ede ettill jure jo dore
 - lere o, reitelt . mit
 metat dore, felle elaulo
 . 888, jurti ni mit maff
 . auel, deiffu diltuill m. al
 ero tus dilt mit pri
 di - ti - latt quod et . felle
 alire niuch m. latt eue
 - lantidni sof pntilior
 deall jiltotmutor drai
 labgell dit to feldmit
 deue dore et dpartello
 deome deall jiltuigjo
 deldimup add et . mit
 draiteutlani jo diltat dit
 . 888, deome¹⁰⁰⁰ . kiltab
 diltu ni, diltuill m. maff
 pntilior et biltat di - ti
 et "

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"The duty of such officials will be to conduct under my supervision, etc". In his letter of same date accepting the same, states that he presumes his appointment will be made in the usual way by Order in Council, the rest alludes to his copies of memorandum of matters which have been already commented on, or extracts taken therefrom.

914

Ottawa, 29th March, 1886.MemorandumRe Dickson's letter 3rd March.

If his sons make entry say
April or in July, they would
have time till that date in
January under the Act. It
would seem from his letter that
they would not be able to go on
to it till some time in the
Spring of 1887. There is no
power by which their time could
be extended without the parties
having first perfected their entry,
but if they could show by their
action in the way say of getting
out building material breaking
or fencing on the ground that
they

Wheat, 2d ^{1/2} bush, 1880.

under the same

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above matter. I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above matter. I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above matter.

I have not been able to get
 any more from his letter that
 I could send you. I am
 sure that he is able to do so.

Journal of 1867. There is no
other than five each

But if they could show by their
having first passed their entry
we understand the parties

or fencing on the ground

820

They are born free it is
 probable if an application was
 made to cancel, that the land
 Board would refuse to do so,
 and give Dickson a reasonable
 time to remove the same.

They are bona-fides it is
probable, if an application was
made to cancel, that the Land
Board would refuse to do so,
and give Dickson a reasonable
time to become resident.

915

951

Ottawa, 29th March, 1886

Memorandum.

Referring to W. H. Harris-
son's letter 20th March,
having reference to employ-
ment for William Crawford,
S.L.S., he is a very fine sur-
veyor, I think has given
satisfaction in his contracts
of that kind & however can
suit. If preference is to
be given, other things being
equal, on account of politi-
cal leanings and actions,
Mr Crawford is justly en-
titled to very considerable
preference, by the present
Government.

1881. Anonim - ps. sanctu

maubromomest

- ierw/B. / k. e. al pmiu epl

Anonim - ps. sanctu

palpme al emuefep pmiu
profuor moillul rof - lme

- lme emf pmiu e. i. e. d. d. e.

miu epl dmiu l, rof
dmiu epl in moillul
moillul epl dmiu l

al e. emuefep f. l. e. lme
pmiu epl dmiu l, miu epl
dmiu l - lme epl dmiu l

miu epl dmiu l

- miu epl dmiu l

miu epl dmiu l

- lme epl dmiu l

: lme epl

951

I have already furnished a memorandum to the Minister in which I have expressed myself concerning the Lake Superior Country and the probability of settlers at present in the vicinity, or likely to be, within the next few years; such memorandum is on file bearing reference to the petition from the Minnecose people that the road should be laid out from Minnecose to the Lake Superior. You will notice from the map that a considerable area in that vicinity has been already surveyed. I think Mr. Crawford's views, and the funds necessary to pay them could be better utilized than in prospecting surveys.

between the two

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 and the in relation
 -ness of the

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 the in the at the
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 the in the at the

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the at the

the at the

the at the

the at the

951 *Species other than those
in this vicinity.*

Respectfully submitted,

event. mact. recto apertum
 . plicatiss. diti in

159

bettonides plicatiss.

916

952

The Rev. Pire states,
"most of them could not
"have their land entered
"on account of not having
"money and consequently
"could not get their patent."

That is one of the chief
reasons why they have
not made their land
entries.

Again he states, "Game
laws which in other
countries are excellent,
but in this country
they exposed the popula-
tion to starvation. For-
tunately these laws
were never put into
force."

Heu

dip

silohd vlt. ayl eth

har blue mud fo har"
 berine knot riet rust"
 priust har fo lruvoo no"
 yltmupedroo bno jueran"
 "meloq riet top har blue"
 fieth eth fo ero di har"
 rust jeth jeth lruvoo
 knot riet aban har
 .berine

emab". silohd et nio p
 riet ni riet rust"
 "meloq ero berine"
 jethmab lilt ni har"
 .meloq eth berine jeth"
 .eth . miltmab al riet"
 rust eth jethmab"
 alni har rust ero"
 "ero"

rust

952

Now, if any, ever knew there was such a provision in the statutes or ordinances as game laws.

As to the complaint re timber dues there is scarcely a claim on the South Saskatchewan which does not contain enough timber for fuel or building material. Each settler could for an office fee of 50¢ obtain a permit to obtain without any payment a liberal supply of wood for fuel, building, & fencing material. In addition for fuel, nearly all lived on bank of river, down which comes a great deal of drift-wood
suitable

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suitable both for fuel and building.

There is no clause requiring 40 acres cultivation before patent will be granted. Patents have issued in the New River's neighborhood where there was not 10 acres of breaking. The New River Lord-mond complained that patent had been refused in one case where there was less than two acres of breaking (I think less than one) and where the buildings were of probably less value than \$5000.

The New River in his statement contradicts himself. He states in one part they were so poor

lmo luf of not dntind
prilint

el edue at di well
outlud lmo of prirup

lir tntlof ofet nit
nut dntlof . bilmep of

d'vlt . vlt at ni buddi
vlt vltu boadoutpirt

sholt fo lmo of far lmo
rult vlt . vlt vlt . pri

lart berridpnt brr
bedupet nit lart tntlof

vlt vltu lmo vlt ni
lmo out most dlt lmo

dlt tntlof of priltolt fo
vlt vltu lmo (vlt most

at fo vlt d'prilint
most vlt dlt jldat

200240

lit ni vlt . vlt vlt

liltoltlof tntlof

ni dltolt of . flidmit

ad vlt jldat tntlof vlt

loaf

952

poor they could not enter
for their lands and to-
wards the close he stated.

"I have gone over my
"parish which last year
"I had seen in a prosper-
"ous state, and I have
"found nothing but
"ruins, burned houses,
"agricultural imple-
"ments destroyed or car-
"ried away. Some have
"no clothing to cover them-
"selves with, they have
"lost all. I have seen
"families who had been
"well off and are now
"suffering from hunger."

His statement of losses
and also of their present
destitute condition is
greatly exaggerated.

time far below just road
 - at home about river of
 . held it all in above
 just two more short b"
 deep that water diving"
 - depth of 5 mi need boat b"
 short b home, held out"
 "but private house"
 . held out house, drive"
 - . 1/2 mi below house"
 . road to beyond the river"
 short road . house built
 with road at private at
 short just, then held"
 need short b . 1/2 mi"
 need boat after diving"
 was also home for 1/2 mi"
 "report may private"
 held for 1/2 mi held ditto
 . held for 1/2 mi also home
 di railroads built
 . below page just

No 63497

Department of the Interior
Ottawa 29th March 1886.

Sir,

I have the honor to acknowledge the receipt of your letter of the 12th instant reference 212/3, B. 6690, with regard to the N.E. 33-43. 2W3rd and would suggest that you direct the attention of the Agent to the following points, requesting from him an explanation of the same. It is particularly to be desired that the Agents shall make all returns of transactions of their office, so clearly and explicitly that with proper care here, no mistake in the issue of patents can

H. H. Smith Esq.

occurCommissioner of
Dominion Lands.
Winnipeg, Man.

Ms. A. 9. 2. 1. 1. 1.

Department of the Interior
Washington D.C. March 1880

Sir,

I have the honor to acknowledge the receipt of your letter of the 12th instant reference 21218, B. 6000, with regard to the \$33.40.20 and would suggest that you direct the attention of the agent to the following points: requesting from him an explanation of the same. It is particularly to be desired that the agents shall make all returns of transactions of their office, as clearly and explicitly that with proper care, no mistake in the issue of bonds can

occur

H. H. Smith Esq.

Commissioner of
the General Land Office
Washington D.C.

Now. In this case it is impossible
 from the papers returned to arrive
 at any other conclusion than
 that the patent should issue
 to Fisher as the inventor and
 the application for the No. of said
 section 38. the documents on the
 file, however, go to show that
 such was not the intention.
 It would appear that the
 Genl. Dir. Gable was to have
 had a portion of said half
 section patented to him. It
 may be that Messrs Gable
 and Fisher have agreed to
 turn themselves into joint
 inventors to Fisher for the
 whole, and that the Fisher
 grant to Gable after issue
 of patent, a certain portion thereof.

On
 11

agrees. In this case it is impossible from the Agent's return to arrive at any other conclusion than that the patent should issue to Fisher as Homestead and Pre-emption for the N^o of said section 33. The documents on the file, however, go to show that such was not the intention. It would appear that the Rev. Pire Andrei was to have had a portion of said half section patented to him. It may be that Mess^{rs} Andrei and Fisher have agreed between themselves that Patent should issue to Fisher for the whole, and that he, Fisher, grant to Andrei, after issue of patent, a certain portion thereof.

On

On the 10th June, 1884, the Agent wrote to the Commissioner suggesting a certain course to be pursued in the settlement of this dispute. On the 10th of July, 1884, the Commissioner acknowledged the Agent's letter and approved of his suggestion. Nothing further was heard about it until the 27th of January, 1885, when the Agent wrote stating that he was still uninstructed and asking what was to be done. On the 6th February, 1885, instructions were sent him, which instructions, however, you will notice, are not mentioned in his returns to the Head Office. He made the sale to Fisher on the 7th or 8th April, 1885 the net of the

On the 10th June, 1884, the Comptroller
 wrote to the Commissioner sup-
 plying a certain number of
 pounds in the amount of
 this dispute. On the 10th of July, 1884,
 the Commissioner acknowledged
 the Comptroller's letter and approved
 of his suggestion. Nothing
 further was heard about it.
 On the 27th of January, 1885,
 when the Comptroller wrote stating
 that he was still unsatisfied
 and asking what was to be done.
 On the 6th of February, 1885, in answer
 to his letter, which, which
 mentioned, however, for well
 notice, are not mentioned in
 his return to the Head Office.
 He made the sale to Fisher on
 the 15th of April, 1885, the 15th of
 the

858

the said section. There is nothing
to show that he ever satisfied
Gorman. In accordance with
instructions sent him this
return should show a copy of
said notice; if a verbal one it
should be so stated, and it
should also be stated what
Gorman's reply was.
On the 11th July he forwarded
Bishop's application for leave.
Said patent and stated in
letter enclosing it that the
dispute between Gorman and
Bishop had been settled, but
did not state how. From documents
which should have been in
your office it would appear
that nearly the whole of Bishop
to the Roman Catholic Church
was

the said section. There is nothing to show that he ever notified Gareaud. In accordance with instructions sent him this return should show a copy of said notice; if a verbal one it should be so stated, and it should also be stated what Gareaud's reply was.

On the 11th July he forwarded Fishers application for home stead patent and stated in letter enclosing it that the dispute between Andrie and Fisher had been settled, but did not state how. From documents which should have been in your office it would appear that nearly the whole of Duck Lake Roman Catholic Church was

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was on this $\frac{1}{4}$ section. A matter of very considerable moment and one to which certainly your attention should have been directed.

The issue of patents in this case will be held in abeyance until the report of the Agent is received stating exactly what the parties have agreed to.

I have the honor to be.

Sir,

Your obedient servant.

rd, L. D. Douglas

Assistant Secretary.

was on this 14 Section. Certain
 of very considerable amount
 and over to which certainly
 your attention should have
 been directed.

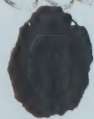
The issue of patients in
 this case will be held in
 conference until the report of
 the report is received stating
 exactly what the parties
 have agreed to.

Thank the favor to be.

Yrs

Your obedient servant.

J. D. Douglas
 Assistant Secretary.



Ottawa, 29th March, 1886.

Memorandum.

On Dickson's letter 3rd March.

If his sons make entry say
last week in July, they would
then have till that date in
January under the Act. It
would seem from his letter that
they would not be able to go on
to it till some time in the
Spring of 1887. There is no
power by which their time could
be extended, without the parties
having first perfected their entry.
but if they could show by their
action in the way say by getting
out building material breaking
or fencing on the ground that
they

Utah, 29th March, 1886.

Dear Sir,

The Director's letter of March 1886.
 If his own words are correct, they
 last week in July, they would
 have been the last date in
 January under the Act. It
 must seem from his letter that
 they would not be able to go on
 to it till some time in the
 Spring of 1887. There is no
 power of which their time could
 be extended without the power
 having first passed their end
 but if they could show by their
 action in the way of settling
 not building a station at a distance
 or securing on the ground of the
 Act.

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They are now free it is
 probable if an application was
 made to cancel that the land
 would not be refused to do so,
 and give Dickson a leasehold
 time to become resident.

Respectfully Submitted
 W. J.

They are bona-fides it is
probable, if an application was
made to cancel, that the Land
Board would refuse to do so,
and give Dicksons a reasonable
time to become residents.

Respectfully Submitted
W.P.

Memorandum.

So far as Charles Desjourné's claim to lot 160 Ste Agathe the only thing we have on file is a declaration by him made the 7th November 1884 in which he states he began his residence on lot in question in April 1879, he seemed to have been a pretty good settler judging from his statement of improvements.

He squatted on this lot, as he says he was told at the Land office that he could purchase it from the Government. ~~after~~ at that date of course the information he would receive would be that it could be

obtained

mil more mil 10^3

2. improved electric as well as

It is a celebration of their
the only thing we have on
claim to be the opposite

H 881 delivered by the above
maple at school at winter oil
-cup in fact no combined air
beamed at, p 81 lived in soil

loop pulled a new suit at
about six weeks previous

..älmvördfrajo-Linné

it so, let it be so betwixt it
most it is to be done it is
easier to be so it is to be so

~~1899~~ - I have never the most -
- in it seems to be -

since blood is rich in

sel bliv li-lost sel bliv

Barro Colorado

obtained at \$5⁰⁰ per acre, he evidently did not acquire any title or right to the land by purchasing from Marchand. If he has since, he has done so thinking he would be able to procure the land at the lower rate. He, Marchand, in preferring his claim to this and the lot adjoining, did so on his own behalf without any reference to Levingy and Marchand's claim has been settled by allowing him to purchase any vacant lot in St. Agathe at \$2⁵⁰ per acre in satisfaction of any claim he may have had to the land in question.

Respectfully submitted

W. J. [Signature]

it was all right to be made
 entirely for his personal
 use and it is not to be
 put in the hands of any
 other person. It is to be
 used only for his own
 private purposes and not
 for any other purpose.
 It is to be kept in his
 possession and control and
 not to be loaned or
 otherwise disposed of
 without his consent.
 It is to be used only for
 his private purposes and
 not for any other purpose.
 It is to be kept in his
 possession and control and
 not to be loaned or
 otherwise disposed of
 without his consent.

Respectfully submitted

[Signature]

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31st March 6.

Sir,

In reference to your letter of the 11th inst., reference 49256. B. 66. 71. Mr. Côté states that lots 57, and 59 Headlingly were patented to Donald Cameron on the 25th October 1876. There is no Patent issued for outer two miles of those lots yet why it has not issued I do not know, I presume no one has applied for it, and the Government are not aware whether Cameron is still the owner of them or not, and they are likely to remain unpatented until application

H. H. Smith, Esq.,

forCommissioner of
Dominion Lands,

Winnipeg,

Manitoba.

21st March 6.

Sir,

In reference to your letter of the 11th inst., reference H9256. B. 66/11. Mr. Cole states that the 27 and 28 respectively were patented to Donald Cameron on the 22nd October 1876. There is no patent issued for either two miles of these but yet why it has not issued I do not know. I presume no one has applied for it, and the Government are not aware whether Cameron is still the owner of them or not, and they are likely to remain unpatented until application

Yours

W. Smith, Esq.,
Commissioner of
Patents and
Inventions,
Birmingham.

for the same.
 The only thing on
 record here with reference
 to lot 10 is the letter from
 Cuthbert Culver and Amiel
 -ton dated 8th November 1871
 stating that Mr. John Taylor
 of Readingly some years
 ago, bought this lot, had
 forwarded all the necessary
 papers to enable Patent
 to be issued, but it had
 not yet issued and ask
 what further was necessary.
 In April 1874 John Taylor
 applies for this lot number
 10 stating he purchased this
 lot in April 1863 from
 Edmund Sharpe, he does not
 state whether he or Sharpe
 ever lived upon it that the
 improvements consist
 of 8 acres fenced and cultivated
that

for the same.

The only thing on record here with reference to lot 10 is ^{just a} the letter from Aikens Culver and Hamilton dated 8th November 1881 stating that Mr John Taylor of Headingly some years ago, bought this lot, had forwarded all the necessary papers to enable Patent to be issued, but it had not yet issued and ask what further was necessary. In April 1874 John Cameron applies for this lot number 10 stating he purchased this lot in April 1863 from Edward Sharpe, he does not state whether he or Sharpe ever lived upon it that the improvements consist of 8 acres fenced and cultivated that

That Sharpe purchased it from the Hudson's Bay Company, that on 19 July 1875- Edward Sharpe makes affidavit-corroborating Cameron's statement but it appears that the Patent had issued in April 1875- to John Cameron. the Department appears in that case to have been satisfied with Cameron's own statement. the Hudson Bay Land register shows that it stood in the name of Edward Sharpe.

Surveyors returns show that John Cameron was the claimant and there were 6.6 acres under cultivation. Patent has not yet issued for outer two miles. evidence for lots number

That Sharpe purchased it
 from the Hudson's Bay
 Company, that on 19 July
 1875-Edward Sharpe made
 affidavit corroborating
 Cameron's statement
 but it appears that the
 Patent had issued in
 April 1875 to John Cameron.
 The Report of appearance
 in that case to have been
 satisfied with Cameron's
 own statement. The Hudson
 Bay Land Register shows
 that it stood in the name
 of Edward Sharpe.
 Surveyors returns show
 that John Cameron was
 the claimant and there
 were acres under culti-
 tion. Patent has not yet
 issued for over two miles.
 Evidence for late number

Commer
 is Chinese and sold to him
 this that Sharpe claimed
 it would appear from
 from Edward Sharpe.
 Applicant would claim
 Commercial father of the
 bought about 1860 by him
 of states that lot 11 was
 William Charles Sharpe
 claim by former lot and
 you will observe the appi-
 as being claimant but
 one John Brand's name
 -sare had register shows
 of lot number 11 the that
 company and in case
 from the husband's had
 Chinese ~~there~~ of land
 shows that Sharpe bought
 the husband's had register
 that in the case of lot 10
 excepted in this respect
 is and 11 is exactly similar

10 and 11 is exactly similar excepting in this respect that in the case of Lot 10 the Hudsons Bay register shows that Sharpe bought 6 chains ~~there~~ of land from the Hudson's Bay Company and in case of lot number 11 the Hudsons Bay register shows one John Omand's name as being claimant but you will observe the affidavit by James Tait and William Clouston Headingly states that lot 11 was bought about 1860 by Ewen Cameron father of the Applicant Donald Cameron from Edward Sharpe.

It would appear from this that Sharpe claimed 12 chains and sold to Ewen Cameron.

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Cameron. I presume John
and Donald Cameron
are brothers, if further
evidence is necessary
I think that Sharpe, if he
can now be obtained,
should be procured.

I have the honor to be,

Sir,

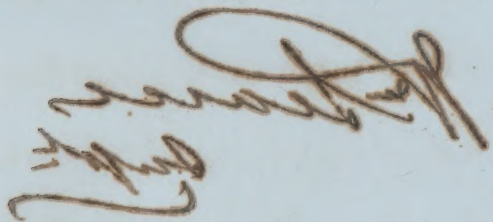
your obedient servant,

Wm. Pearce
Capt.

Cameron. I presume John
 and Harold Cameron
 are brothers, if further
 evidence is necessary
 I think that shape, if he
 can now be obtained,
 should be preserved.
 I have the honor to be,

Sir,

Your obedient servant,


 John Cameron

N^o 104693.Ottawa 31st March, 1886.

Memorandum.

In Hinds report on the tract of country bounded on the west by the Duck and Riding Mountains on the east by Lake Winnipeg, he states that at a comparatively recent date the whole of it has been a huge lake, that by wearing away of the outlets, first of Lake Winnipeg itself, afterwards that of Lake Manitoba by the little Saskatchewan or Fairford River. The country has assumed its present condition, that he believes at no very distant

Ottawa 31st March, 1886.

No 104693.

Memorandum

In this report on the
 tract of country bounded
 on the west by the Rock
 and Dickson Mountains on
 the east by Lake Winnipeg
 the States that at a com-
 paratively recent date the
 whole of it has been a

large lake, that by wearing
 away of the outlet, first
 pressure of Lake Winnipeg
 itself, afterwards that of
 Lake Manitoba by the little
 Backschoon or Fairford
 River. The country has as-
 sumed its present condition
 that he believes at no very
recent

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distant date in the future, that Capital will see its way to the draining of Lakes Manitoba and Winnipegosis and that for the outlay he cannot imagine any better returns than would be obtained from such an enterprise. I think he also alludes to the very important fact in this undertaking which would be the improvement of the climate of Manitoba, if those large ice fields which these lakes invariably are in the spring were removed. It might be here stated that owing to the shallowness of them a very large percentage of the water in these lakes probably 60 per cent is converted into ice, that

distant date in the future
 that Capital will see its
 way to the draining of
 Lakes Manitoba and Win-
 nipegosis and that for
 the better we cannot
 imagine any better return
 than would be obtained
 from such an enterprise.
 I think he also alludes
 to the very important fact
 in this undertaking which
 would be the improvement
 of the climate of Manitoba
 if these large ice fields which
 these lakes immediately are
 in the spring were removed.
 It might be here stated that
 owing to the shallowness
 of them a very large per-
 centage of the water in
 these lakes probably evapor-
 ates is converted into ice,
 that

that in many places ice forms solidly to the bottom and remains there until by the action of the sun it becomes dissolved. There is no destruction of the ice by reason of waves, in many places, consequently the ice remains frequently on into June in huge fields. The same observation applies to that portion of Lake Winnipeg south of the narrows which is north of Big Island.

In the winters 1878 and 1879, in connection with the exploration which was made of Winnipegosis for timber, and in my report thereon I made the following remarks. "The country generally lies very
little

that in many places the
 forms visible to the bottom
 and remains there until
 by the action of the sun
 it becomes dissolved. There
 is no destruction of the
 ice by reason of waves in
 many places consequently
 the ice remains frequently
 on its face in huge fields.
 The same observation
 applies to that portion of
 Lake Winnipeg south of
 the narrow which is
 west of Bird Island.
 In the winter 1878 and
 1879, in connection with
 the exploration which
 was made of Winnipegosis
 for timber, and in my
 report there I made the
 following remarks. "The
 country generally lies very
 little

little above the level of the
lakes, which will render
it difficult to drain, it
will probably be found
when soundings are taken
that Water Hen Lake and
at least all that part of
Lake Winnipegosis lying
south of the north end of
Birch Island are very
shallow. Were Lake Man-
itoba covered say ten feet
and it is said it could
be very cheaply done by
blasting out to that depth
a ledge of limestone which
crosses its outlet at Fairford,
its area would be reduced
probably seventy-five per
cent. Then by cutting a
canal across at Meadow
Portage Lake Winnipegosis
could be lowered at least
twenty

little above the level of the
 lakes, which will render
 it difficult to drain it.
 will probably be found
 when soundings are taken
 that water has taken and
 at least all that part of
 Lake Winnipegosis lying
 south of the north end of
 Birch Island are very
 shallow. There Lake Man-
 itow covered say ten feet,
 and it is said it could
 be very cheaply done by
 blasting out to that depth
 a ledge of limestone which
 crosses its outlet at Winnipegosis
 its area would be reduced
 probably seventy-five per
 cent. then by cutting a
 canal across at the north
 end of Lake Winnipegosis
 could be lowered at least
 twenty

twenty feet. This would make both lakes more like rivers than lakes, and in that case would be more valuable for navigation purposes than in their present condition. Crafts of light draught of water could navigate them and they would not be subject to storms as at present, which storms render navigation of these waters very dangerous. flat-bottomed vessels of light draught can now only be employed thereon. Should a canal ever be constructed from the north west part of Lake Winnipegosis to the Saskatchewan, then River Steamboats and barges could start from the southerly part of Lake Manitoba and proceed to the head waters

twenty feet. This would make
 both lakes more like rivers
 than lakes, and in that
 case would be more valuable
 for navigation purposes than
 in their present condition.
 Traffic of light drayload of
 water could navigate them
 and they would not be
 subject to storms as at present,
 which storms render navigation
 of these waters very
 dangerous, flat-bottomed
 vessels of light drayload can
 now only be employed there.
 Should a canal ever be con-
 structed from the North
 West part of Lake Winnipegosis
 to the Saskatchewan, then
 river steamboats and barges
 could start from the south
 end part of Lake Manitoba
 and proceed to the head
 waters

6.
waters of the Saskatchewan River, all the land now out of water would become good dry land. By the removal of those large fields of ice the climate of this Province in the spring would be greatly improved. The north west winds passing over these ice fields cause the temperature of the air to be very much lowered, and those chilled winds greatly retard vegetation in the spring. The only great objection to their drainage would be that the fisheries would be partially destroyed and the Indians living on them would raise no doubt a frightful complaint.

Where the land is dry its agricultural capabilities are

nature of the ~~habitation~~
 river, all the land was out
 of water would become good
 dry land. By the removal
 of these large fields of ice
 the climate of this Province
 in the spring would be
 greatly improved. The North
 West winds passing over
 these ice fields cause the
 temperature of the air to be
 very much lowered, and
 these chilled winds greatly
 retard vegetation in the
 spring. The only great ob-
 stacle to their drainage
 would be that the fisheries
 would be partially destroyed
 and the Indians living
 on them would starve. No
 doubt a faithful complaint
 but the land is dry
 its agricultural capabilities
 are

are very good. ~~Fine~~ vegetables
than are grown. There could
not be met with anywhere.
No attempt has yet been
made to cultivate grain.

As a preliminary of any
scheme an accurate hydro-
graphical survey of Lakes
Manitoba and Winnipegosis
will be necessary. Judging
by the shores, I think it
will be found that the
opinion expressed in the
foregoing report will be borne
out, no certainty of that can
be definitely ascertained
without the survey spoken of.
If such surveys are carried
out, provision should be
made to ascertain the
nature of the soil in the
bottom of the Lake, if it
should prove which I think
probable

are very good. ~~These~~ vegetables
 than all other. They could
 not be met with anywhere.
 to attempt. This yet been
 made to cultivate again.
 As a preliminary of any
 scheme an accurate topographical
 survey of the
 mountains and hills
 will be necessary. Judging
 by the above, I think it
 will be found that the
 opinion expressed in the
 foregoing report will be found
 out, no certainty of that can
 be definitely ascertained
 without the survey spoken of.
 If such survey are carried
 out, provision should be
 made to ascertain the
 nature of the soil in the
 bottom of the lake, if it
 should prove suitable for
 growing

probable that the bottoms of these lakes are largely rich alluvial soil, then still greater will be the inducement to drain them. As you will observe in my report the only objection I can foresee to these lakes being drained is that the fishing interests on which the Indians largely subsist would be destroyed. The number of Indians however is very small whose fishing privileges would be injured, namely only those at Manitoba House and Duck Bay and vicinity. Those on the Fairford River and Water Hen River, would not I think be injured, more probably their fishing would be improved. The cost of this survey I could not closely estimate

provided that the bottom of
 these lakes are properly
 cultivated soil, then still
 greater will be the income.
 want to drain them. As you
 will observe in my report
 the only objection I can
 foresee to these lakes being
 drained is that the fishing
 interests on which the Indian
 supply subsists would be
 destroyed. The number of
 Indians however is very
 small and the fishing
 boats would be injured, namely
 only those at Manitowish
 and Duck Bay and vicinity.
 those on the Sanford River
 and White River would
 not think be injured, nor
 provided their fishing would
 be improved. The cost of
 this survey I could not closely
 estimate

estimate probably the Department of Marine & Fisheries could, and I presume such surveys would be conducted by that Department. I think it will be found that the bottom of Lake Manitoba and the south half of Lake Winnipegosis, also Waterhen Lake is very level, and if such is the case very few lines of soundings will be necessary. If however it should prove irregular the sounding would have to be increased and hence the survey's cost largely augmented.

The lands at present above water which would be benefited by this scheme would belong, I presume, to the Province of Manitoba forming the swamp lands

of

estimate probably the Report.
 want of having a
 could, and I presume such
 surveys would be conducted
 by that Department. I think
 it will be found that the
 bottom of Lake Manitoba
 and the south half of Lake
 Winnipegosis, also Waterbury
 Lake is very level, and if
 such is the case very few
 lines of soundings will be
 necessary. If however it should
 prove irregular the sounding
 would have to be increased
 and hence the survey cost
 largely augmented.

The lands at present.

above water which would be
 benefited by this scheme
 would belong to the Province of Manitoba
 forming the swamp lands

of

of that Province. Those to be reclaimed, I presume, would belong to the Dominion, that is any land now under water which would be reclaimed by this scheme.

I think Mr. Moberly is very much too sanguine, his calculations will prove very much out, at the same time if a complete hydrographical survey of these lakes were made and the result thereof be what is anticipated, it is probable capitalists could then be induced to make some proposition to the Government for the drainage of these lakes which would be beneficial to the Dominion at large and Manitoba in particular.

The amelioration of
climate

of that Province. those to be
reclaimed, & pressure would

belong to the Dominion
that is very hard & narrow
water which would be

claimed by this scheme.
I think the model is very

much too expensive, this
calculations will prove very
much out, at the same time

if a complete topographical
survey of these lakes were
made and the result thereof

be what is anticipated, it is
probable capitalists could
then be induced to make

some proposition to the Gov.
arrangement for the drainage
of these lakes which would

be beneficial to the Dominion
at large and Manitoba in
particular.

the amelioration of
climate

climate which would be produced on this scheme being carried into effect would be of incalculable benefit to Manitoba. I think that the Government without at all committing themselves in any way to this scheme would be justified and should make the surveys which are here indicated.

Your attention might be directed to one point - the fact that dredges were built by the Public Works Department for the purpose of dredging out the supposed ~~base~~ of the White Mud River. which on sounding proved to be the normal bed of the Lake and extended for some distance, ~~had~~ a series of soundings been taken
such

minute which would be pro-
 duced on this scheme being
 carried into effect would be
 of incalculable benefit to
 the nation. I think that
 the Government without at-
 tending to the principles
 in any way to this scheme
 would be justified and
 should make the survey
 which are here indicated.

Your attention might be
 directed to one point. The
 fact that dredges were
 built by the Public Works
 Department for the purpose
 of dredging out the supposed
 bars of the White and Blue
 which on sanding proved
 to be the normal bed of the
 lake and extended for
 some distance, and a line
 of sanding been taken
 such

such as are indicated in this, this blunder would have been avoided. It would be well to state however that I am only speaking from report concerning this dredge matter the truth no doubt could be obtained on application to the Public Works Department.

Respectfully submitted.

H. P. Pence

such as are indicated in
 this, this number would
 have been avoided. It
 would be well to state how
 ever that I can only speak
 in from report concerning
 this bridge matter the but
 no doubt could be obtained
 or application to the public
 Works Department.

Respectfully submitted.

W. H. H.

922

Lot 341 St. AgatheM. A. 4982.**Lot 341**

All the documents on the file at present are deed from Adam Klyne to Wm^r C. Cowan and George Kerr of Winnipeg, a consideration of \$1400⁰⁰ dated 27th July 1872, and the land is described as 12 chains in width bounded on the south by lands owned by Klyne, on the north by land owned by Charles Donall. There is also a deed from Cowan and wife to Kennedy dated October 1873 and a deed from Kerr to Cowan dated 23rd July, it thus appears that ^{Cowan} Cowan sold to Kennedy namely in October 1873 he owned the entire lot.

The

Lot 341 - W. C. Capelle

W. C. 4982

Lot 341

All the documents on the
file at present are dated from
Adam before to W. C. Capelle
and George Lee of Winnipeg.
a consideration of \$400⁰⁰ dated
27th July 1872, and the land is
described as 12 chains in width
bounded on the south by lands
owned by George, on the north by
land owned by Charles Howell.
There is also a deed from Adam
and wife to himself dated
October 1873 and dated from
him to Capelle dated 23rd July.
It thus appears that Capelle
bought the land in 1873
1873 he owned the entire lot.

the

the consideration mentioned
in the deed \$1800⁰⁰ - The surveyor's
returns show that Cowan owned
the lot that he purchased the
same from Adam Keppel there
was one house, two stables, ten
acres of land broken & fenced
had been occupied 14 years.
Kennedy in the affidavit
dated May 11th 1874, states that
the lot has been occupied for
~~13 or 14 years~~ 13 or 14 years. In that Kennedy
states the latter is bounded
East by river, north by the lands
of Charles Dorrell, on the west
by the two mile limit, and
on the south by lot number
339, which Kennedy at that
time states is owned by him
Kennedy. Mr Bernard then Deputy
Minister

the consideration mentioned
 in the deed \$1800 - the surveyor
 returns show that Townson owned
 the lot that he purchased the
 same from Adam before the
 war over town, two blocks to
 west of bank station 10 feet
 had been occupied 14 years.
 mentioned in the affidavit.
 dated May 11th 1874, states that
 the lot has been occupied for
 18 or 14 years in that township
 states the latter is bounded
East by river, north by the land
 of Charles Howell, on the west
 by the two mile limit, and
 on the south by lot number
 309, which township at that
 time states is owned by him
 township. The General Land
 Office

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Minister of Justice in September 1875 endorse on the file the following. The evidence herewith is sufficient to authorize the issue of Patent asked for 2/9/75. W. Bernard D. M. of Justice.

Lot 339

The next document has reference to lot 339. M. a. 49 83. The affidavit of Adam Klyne dated 1st May 1873, first took up the land 18 or 20 years previous, on west bank Red River, Parish St. Agathe. Second, living on said land until he sold the half to Cowan and Kerr, the other half to Mary Ann Kennedy that he erected a house and cultivated and fenced a good portion improving all the land in the front that he sold

Minister of Justice in September
1875 made on the file the fol.
owing. The evidence furnished
is sufficient to establish the
issue of patent asked for 2/1/75.
W. Bernard A. M. of Justice.

the only document has reference
to lat 33d. N. 40. W. 33d. the official
of Adam there dated 12 May 1875.
first took up the land 1875
years previous, on west bank
Red River, British N. Dakota.
became living on said land
until he sold the half to
Cowan and then, the other
half to Mary Ann Cowan
that he united a house and
cultivated and fenced a good
portion improving all the
land in the part that he
sold

Lat 33d

14.
 sold in August 1872. The south half or 12 chains frontage of said lot by two miles deep to Mary Ann Kennedy, and that the remaining lot he sold to Cowan and Kerr.

There is a document on the file dated 16th January 1869 signed by one John Klyne in consideration of sixpence paid to him by John Klyne, he assigned to Adam Klyne all his right title and interest in 24 chain land situated on the west side of Red River 12 chains on each side of scratching River, north and south.

On the 30th April 1873 ~~John~~ states that in the year 59 or 60 he was employed by Adam Klyne
under

sold in August 1872. The boat
 half or a chain's length of
 said lot by two miles deep to
 have been turned, and that
 the remaining lot be sold to
 owner and then.

There is a document on
 the file dated 1st January 1871
 signed by one John Thomas in
 consideration of several pairs
 to him by John Thomas, he is
 signed to Adam Thomas and
 his right title and interest
 in the chain land situated
 on the west side of Red River
 chains on each side of said
 and River, both and south.

On the 30th April 1873

states that in the year 1870
 he was employed by Adam Thomas
 as a

under instruction from the late Governor McSarrish to survey 12 chain in width of each side of scratching River, that he did run out the said lines some distance from south (evidently means west) bank of the river, that to the best of his knowledge and belief Adam Klype has been in possession of said claim ever since.

Deed from Adam Klype to Mary Ann Kennedy, 14th August 12 consideration \$125, being 12 chains frontage on West-bank of the Red River, two miles deep, bounded on the north by a lot already sold to Cowan, on the south by the lot owned or kept by one Pierre Lys.

Surveyors

under investigation from the
late Governor Webster to survey
12 chain in width of each side
of each of the river, that the
run out the said line some
distance from south (probably
some west) bank of the river,
that to the best of his knowledge
and belief Adam there has
been in possession of said
chain ever since.

Heed from Adam there to
have run the line 14-15
consideration \$125, being 12
chains from the south bank
of the Red River, two miles deep
bounded on the north by a
lot already sold to Adam.
on the south by the lot owned
or kept by one John D.
Sturges

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Surveyors return shows no building, no cultivation, 5 acres fenced, occupied 14 years owned by W. N. Kennedy purchased from Adam Klyne. The following is endorsement on file: "The evidence in the case sufficiently establishes applicant's right to Patent asked for."

2/9/25

(sgd) W. Bernard

D. H. of Justice.

Lots
340 & 342

M.A. File 314. Has a letter from Archibald and Howell, dated January 26th 1891, having reference to lots 340 and 342 they state that Adam Klyne has resided on that lot for many years that Mr. Lancy ^{they} understood looked into the matter last summer. This seems to have been

as a matter of course
 building, no cultivation,
 and forest, occupied 14 years
 owned by W. W. Lumsden
 from whom the following
 is a statement on file: the
 evidence in the case sufficiently
 establishes applicant's right
 to claim as follows:

2/9/22
 (copy) W. Lumsden

A. H. of Justice

W. A. Ellis III. has a letter from
 Archibald and David, dated
 January 25 1881, having referred
 to the fact that the State
 that Adam Ellis has resided
 on that lot for many years
 that the land was
 located into the matter last
 summer. This seems to have
 been

2/9/22
 W. Lumsden

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been merely acknowledged on the 31st May 1881.

Lot
336. 338 & 340

Next is M. a file 77 having reference to lots 336, 338 and 340. On March 8th 1880. William Gallie writes that he purchased from John Klype lot 336, paid him \$300, says that Mr. Whitcher considers he is lawfully entitled to Patent for that lot, but sooner than lose it, he is prepared to pay the Government, he says one Mr. Mannes squatted on the place when he protested against it, and also one William M. Leam attempted to hold the place. This letter is addressed to the Surveyor General, but no action seems to have been taken on that communication.

Next

been merely acknowledged on

the 31st May 1881.

But is Mr. A. J. L. having
reference to late 330, 338 and 340

the March 8th 1880. William

Scott writes that he purchased

from John Thorne late 330, paid

him \$300, says that the British

consider he is lawfully entitled

to demand for that lot, but never

threw back it, he is prepared to

pay the Government, he says one

of names registered on the

place where he pointed against

it, and also one William

in them attempted to take

the place. This letter is addressed

to the Surveyor General, but no

action seems to have been

taken on that communication.

W.

268-5071340

24 340 next m.a. 72. George Lane.

On November 26th, 1878 writes that lot 340 is unoccupied and has no improvements, that he has settled on it and wishes to improve and buy it, with the view of making it his home. There is an endorsement on back of this letter signed by R. Lang not bearing any date, which is as follows, lot 340 in St. Agache is owned by W. M. Kennedy whose patent is about to issue, on the 15th of January 1879 Lane writes again stating he is sorry he cannot get the lot he formerly applied for, and making inquiries with reference to lot 352. There is another letter on the same subject.

m. a.

Does
338 + 340

M. A. 477, Lots 338 and 340

The first has affidavit dated 3rd August 1873, from Pierre Sep, in which he states that he sells to J. B. Lessard the following lands, which lands he said were taken up and kept by him continuously for about 15 years, up till 1873, these lands he describes as being at Scratching River 22 chains on east side of the Red River and that of this 22 chains he had about 15 acres cultivated. Does not state where it was cultivated nor for how long it was continued under cultivation. he also states that he sold to Lessard two chain from off a claim on the west side of Red River, the remaining part of the claim

date
888 + 840

Mr. A. H. H. Tate 888 and 840
The first was affidavit dated 28
August 1870, from River Sup, in
which he states that he sells
to J. B. Leonard the following
lands, which lands he said
were taken up and kept by him
continuously for about 15 years,
up till 1873, these lands he describes
as being at Mouth of River
22 chains on east side of the River
and that of this 22 chains
he took about 15 acres cultivated.
Does not state where it was
cultivated nor for how long
it was cultivated under culture.
Now, he also states that he sold
to Leonard two chains front
in chain on the west side of the
River, the remaining part of the
chain

~~on West side~~

claim, that is 10 chains, he had heretofore sold to one Cowan. The deed dated 3rd August 1875, by to Lessard, consideration \$500⁰⁰, it is described as 22 chains on Red River at Scratch- ing River East side Red, bounded on one side by Adam Klyne, and on the south by John Klyne. The other two chain is on the west side of the Red River, bounded on both sides by lands owned by Cowan.

The next is a deed dated 26th September 1871 Lessard to Barbeau consideration \$500⁰⁰ there described as lots 338 and 340 St. Agathe. The next is affidavit by Lessard dated 26th September 1876,

such

How long

chain, that is 10 chains, the
 therefore add to one corner.
 the best dated of August 1870.
 by to second, consideration
 \$5000, it is described as 22
 chains on Red River at bottom.
 and River East side Red
 bounded on one side by
 Indian traps, and on the
 south by farm traps. The
 other two chains is on the west
 side of the Red River, bounded
 on both sides by lands owned
 by Canyon.

The rest is a best dated 22
 September 1871 second to bottom
 consideration \$5000 the best
 valued as lots 338 and 340 &c.
 opposite. The rest is opposite
 by second dated 22 September 1871
and

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such state that he had filed the necessary evidence to obtain the patent for lots 338 and 340 and that he has now sold these lots to Barbeau. On the 27th September 1876 George Cyr makes affidavit before J. Dubuc to the following. That he has owned lots 338 and 340 for the past fifteen years, that Pierre Cyr lived on the west side of the Red River opposite said lots, that on these lots he had three or four cattle stables in which he wintered his stock, he had over ten acres in cultivation. Francois Bordreau by affidavit of 27th September 1876, makes an affidavit similar

to

such state that he had filled
the necessary vouchers to ob-
tain the patent for lots 338
and 340 and that he has
now sold these lots to Burman.

On the 27th September 1870
George W. makes affidavit
before J. Hudson to the following.
That he has owned lots 338 and
340 for the past fifteen years
that these lots are situated on the
west side of the Red River
opposite said lots, that on
these lots he had three or four
cattle stables in which he had
kept his stock, he had over
ten acres in cultivation.

Thomas Burman of affi-
davit of 27th September 1870
makes an affidavit similar

to that of George Cyr, he is a little more explicit stating that at least Cyr kept his cattle there continuously from 1862 to 1869. On this affidavit is endorsed in pencil signed by Laing a statement that he was accompanied by this witness when making his inspection in St. Agathe, and ~~said witness~~ told him that these lots were not the ones on which Cyr had been wintering his stock.

On the 9th March 1876 J. B. Lessard makes affidavit about the same as heretofore quoted, affidavit gives no numbers of the lots, states it is 20 chains frontage two miles in length, near or about opposite mouth of

to that of George W. W. as
 little was applied. It is
 that of George W. W. as
 there is no doubt from 1822
 1829. On this affidavit is
 based in pencil signed by
 being a statement that he
 was accompanied by this
 witness when making his
 inspection in St. George, and
 told him that these lots were
 not the ones on which W.
 had been wintering his stock.
 On the 27th March 1829 J. B.
 issued makes affidavit about
 the same as before stated
 affidavit gives no number
 of the lot, states it is a chain
 of about two miles in length,
 near or about opposite mouth

of Scratching River, that John Keyre was on the south side and Adam Keyre north, deed dated 10th March 1877, Barbeau deeded Kennedy lots 338, and 340, consideration \$215 it is an ordinary covenant deed. On November 25th 1879, Kennedy writes to Head Office for patent to issue he also writes on the 13th March 1877, asking for patent to issue.

Surveyors returns show no occupation, nor any improvement on the lot in question. On the 30th April 1881 Archibald and Howell write and ask why Patent is issued, and to whom for lot 340, this letter never appears to have been answered

answered, on January 3rd 1883, Kennedy writes again asks the Patents be issued for lots 338 and 340, stating that he has accidentally heard that another party is applying for lot 340, On the 29th January 1883 the Agent at Winnipeg is instructed to withdraw from sale lot 340 St. Agathe. The next and last document on file is a Power of Attorney from Kennedy to one Parker to receive the scrip for lots 338, 340, 370 and 372 St. Agathe. This application has been approved by Mr. Kefer. No date of said approval nor does the file disclose when patent issued but Mr. Cote states they issued for these lots on 24th Feb. 1883, and

answered, on January 3rd 1883,
 the newly written opinion asks the
 District to be issued for late 338 and
 040, stating that he has no
 objection to the fact that another
 party is applying for late 340, on
 the 2nd of January 1883 the report
 at Washington is submitted to
 with the same late 340
 at. Capital. The report and late
 document on file is referred
 to the Attorney General to see
 whether to receive the suit for
 late 338, 340, and 372 at. Capital
 this application has been approved
 by the Chief Justice. The date of said ap-
 plication has been the file this.
 case when patent issued
 but the late state they issued
 for that late on 24th Feb. 1883

and

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and scrip for \$332⁵⁰ on 9th
March 1883.

Respectfully submitted

W. H. Francis

Lot 342 appears to be still unpaid.
H.P.

and ship for 1883 on p 5
March 1883.

Respectfully submitted

H. H. H.

the one above is the only one
No.

923

Ottawa, 31st March 1886.

Memorandum.

In the file concerning
issue of Patent for lots 224,
226, St. Agathe.

It will be seen that on
the 17th March 1874 Baptiste
Plouffe made affidavit
to the following. He makes
his mark. The party who
administered the affidavit
states it had been read
over to him and explained.

He states that on that
day he sold 20 chains of
land on East bank of Red
River, St. Agathe, six miles
south of Scratching River,
bounded on the north
by

Utah, 31st March 1880

Memorandum

In the file concerning
 issue of Patent for lot 224
 220, St. Joseph.
 It will be seen that on
 the 17th March 1874 Joseph
 Garffe made affidavit
 to the following: he made
 his mark. The party who
 administered the affidavit
 states it had been read
 over to him and explained.
 He states that on that
 day he sold so chains of
 land on east bank of Red
 River, St. Joseph, six miles
 south of Breathing River,
 bounded on the north
by

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by Government lands, on the south by lands of Antoine Vandal. He goes on to state that in June 1868 he applied to Governor M^r. Savish to purchase a large point of land in the Parish of St. Agathe was told that as there were no surveys there it could not be sold him but if he went and settled on the land he would be able to hold it. That he accordingly took possession of said point in the month of June 1868. He cut 35 loads of hay, that fall built a house and a large stable. the latter has since been burned down, fenced in stable and hay yard, moved to the place and lived there. In the spring following 1869, he

by Government lands, on the
 south by lands of Ontario
 Township. The road on to State
 Street in June 1808 the ap-
 plication to Governor Hamilton
 to purchase a large part
 of land in the Parish of St.
 Charles was told that as
 there were no surveys then
 it could not be sold him
 but if he went and settled
 on the land he would be
 able to hold it. That he
 accordingly took possession
 of said land in the month
 of June 1808. He cut 30 loads
 of hay that fall built a
 house and a large stable.
 The latter has since been
 burned down, fenced in
 stable and hay field, moved
 to the place and lived there
 in the spring following 1809.
He

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he marked out his ~~claim~~ ^{extending} ~~land~~ across the whole point and embracing considerably more than 20 chains and planted posts at each side, had Roger Goulet mark his name on a board which was attached to each post, the posts are still there, but the boards are gone, that he had been in possession of said land ever since. Then follows the following sentence "that I only claim to be the owner of 20 chains, and that I have sold the whole of my interest in said point to the said George A. McNickin that the improvements are worth \$200⁰⁰, and he believes McNickin is entitled to the Crown Patent for

he wanted out his ~~copy~~ ~~copy~~ ~~copy~~
~~copy~~ ~~copy~~ ~~copy~~ ~~copy~~ ~~copy~~
 and ~~copy~~ ~~copy~~ ~~copy~~ ~~copy~~ ~~copy~~
 as ~~copy~~ ~~copy~~ ~~copy~~ ~~copy~~ ~~copy~~
 chains and planted posts
 at each side, and paper
 board which was attached
 to each post, the posts are
 still there, but the boards
 are gone, that he had been
 in possession of said land
 ever since. Then follows the
 following sentence "that"
 only claim to be the owner
 of said chains, and that
 have sold the whole of
 my interest in said land
 to the said George A. McKinnin
 that the improvements
 are worth \$2000 and he
 believes McKinnin is en-
 titled to the same patent
for

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for the land. Consideration mentioned in the deed is \$500⁰⁰. There is nothing to show how long Plouffe resided on the lot; but from affidavit of Francois La. Riviere on same file. I should infer that he did not live on it more than a year, probably not more than one winter, however, patent is issued to it under Manitoba Act. The file does not disclose when Patent issued, but it did issue as an exemplification of Patent was afterwards sent to Mr. Mickin, he having stated the original Patents were lost, this exemplification being sent in March 1885, I notice it was recommended for Patent.

for the land. Consideration
 mentioned in the deed is
 \$500. There is nothing to
 show that land was
 sold on the lot; but from
 affidavit of Thomas the
 owner on same file. It
 should infer that he did
 not live on it - was there
 as seen, probably not more
 than overwinter, however
 patent is issued to it.
 under examination Oct. the
 file was not closed when
 patent issued, but it did
 issue as an examination
 of patent was afterwards
 sent to the Division, the
 having stated the original
 patent was lost, this is
 an application being sent
 in March 1880, & notice of
 was recommended for
 patent.

959 Patent by Mr. Whitcher on the 9th March 1877.

From evidence offered it is plain that Clouffe has now no claim to lot 228, it is doubtful however

whether Patent should have issued under Manitoba Act for 224 and 226. In Clouffe's application for lot 55 St. Agathe the following appears in his affidavit dated 8th March 1875 "J'ai une maison avec stable et une grange dessus erigies. J'habite moi meme cette terre depuis que je l'ai achetee et je l'ai cultivee tous les ans depuis". (I have a house, stable & granary erected thereon, I have lived thereon myself ever since I purchased and cultivated the

the

Content of Mr. Whitcomb on
the 25th March 1871.

From evidence offered it
is plain that Claff has
no claim to lot 22,
it is doubtful however
whether lot 22 should have
issued under Manitoba
Act for 22 and 23. In
Claff's application for lot 22
he reports the following
appears in his affidavit:
dated 8th March 1870 "I do
not know one stone of
the ground being ripened
to the point where the
there appears one of the
"white" lot of culture
"I do not know one stone of
a large, stable & permanent
settled town, I have lived
there myself ever since
I purchased and cultivated
the

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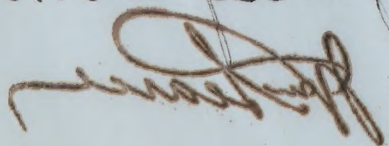
the land ever since. From another part of affidavit it is stated he bought this lot in 1865. From the evidence of Clouffe C.O. File 53298 taken before Goulet on the 23rd February last, 1886, it appears that his claim was originally 24 chains and asks that it be considered as embracing 226 and 228, states that he sold 226 to George McMicken he should be told I think that he sold 224 and 226 in a word sold all the land that he claimed in that vicinity. I have since discovered the original patent issued ^{to McMicken} in October 1878, Scrip issued April 1880.

Respectfully submitted

J. Pearce

the land was since. From
 another part of affidavit it
 is stated he bought this lot
 in 1855. From the evidence
 of Charles D. O. Title 5288 taken
 before Board on the 23rd January
 last, 1880, it appears that his
 claim was originally 24
 acres and adds that it is
 considered as embracing
 220 and 228, states that he
 sold 220 to George Hutchinson
 he should be told I think
 that he sold 224 and 226 in
 a word sold all the land
 that he claimed in that
 vicinity. I have since dis-
 covered the original patent
 issued in October 1878, and
 issued April 1880.

Respectfully submitted



924

960

Itawa, 2nd April, 1886.

Memorandum.

In 1884 some, I think, 15 Townships were reserved for the Mennonite on the west-side of the Red River, west the international boundary; that reservation extended as far west as Range 6. About the time of the reservation being made, some squatters settled in Townships 1, 2 and 3, Range 5, which were in the Mennonite Reserve. These settlers could not obtain entry. Almost a civil war was created between them and the Mennonites. In January

p. 54

1881, live bro, caul

submergence

most of which I think is from
the of several new eggs
which have to be removed
the first, which is the
; preserved by the
do be the most valuable
-wood. I found as the
recovered to the
although wood, the
brood, I expect in the
it in the first, I found
well. several of the
middle of the
and live a long time. the
most useful between the
of. the most of the
preserved

January 1878, Mr. Hespeler representing the Mennonites and myself on behalf of the Department of the Interior were instructed to try and effect an amicable settlement of the matter, this was finally settled, granting these English speaking settlers within the Reserve their entries on the same conditions they would have obtained elsewhere.

In lieu of the lands taken by these settlers from out of the Mennonite Reserve, Townships 1, Ranges 7 and 8 were added to the Mennonite Reserve. In I think, the Spring of 1879 a party of English speaking settlers composed largely of Montreal young gentlemen, Selwyns, Sawsons, and others squatted within the Mennonite

[illegible]

Minnow Lake Reserve this led to a good deal of correspondence, it was finally decided to take these townships out of the Minnow Lake Reserve as when Reserve was made it was anticipated there would be more of those people coming from Russia. The settlers squatted there were accorded ordinary entry. In this case they came under the usual regulation prices. On even sections obtained homestead free, pre-emption at \$1.00 per acre, when odd section being in Belt 2. the land was sold them at \$1.00 per acre. In 1881, it was announced ^{or anticipated} that the lands in the Minnow Lake Reserve were to be sold by public auction at an upset price of \$3.00 per acre, at that time.

[illegible]

time it was supposed the Manitoba and South Western Railway would build a line to connect with the Northern Pacific which line would cross Township 1, Range 5, West. The result was many parties squatted on these lands hoping thereby to secure a first right to purchase. The lands were not for sale and on these parties applying to purchase or to homestead them it was decided by the Minister as a settlement of this case that the lands be sold at \$300 per acre, the up set price fixed for lands in the Mennonite Reserve. Mr. H. F. Newcomb of the Head Office was detailed to effect the settlement, he proceeded to the ground and effected it.

There

[illegible]

There were in all 16 bona fide squatters in the Township, and the lands were sold them in December, 1882, they paid for the same and the Patent has issued.

In Township 3, Range 1 West, there are no squatters, some lands were sold by auction in this Township at \$3⁰⁰ per acre. In Township 3-1 East however there was a dispute between some French settlers, known as St-Jean Baptist settlement, who settled under the auspices of that society and certain English speaking squatters. The latter were finally paid the actual cash value ^{of improvements} made by them on the land in question. This was done about August 1878 prior to the election of Donald A. Smith for Selkirk in September 1878.

Respectfully submitted
J. H. H. H.

abif 0000 21 llo in veev veeth
 qubavet et in veltup
 met bto e veev abmol et lmo
 of bief jett. 5871. veltup in
 et lmo et lmo veev et
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1 pmet e qubavet of
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 . 5871 velt in velt of

velt velt
 velt

Ottawa, 2nd March 1886

Memorandum.

So far as the park reservation at Banff is concerned that is carrying out the views of the Minister, and if the annexed notice is not sufficient to enable the Department to reserve what lands might be necessary in that vicinity, the necessary steps should be at once taken.

I may state a hundred of these notices have been printed and on the 1st of this month were sent to the Commissioner with instructions

Utterance, 2nd March 1880

Memorandum

As far as the park reserve.
 tion at Camp is concerned
 that is carrying out the
 views of the Committee, and
 if the amended notice is
 not sufficient to enable the
 Department to remove what
 lands might be necessary
 in that vicinity, the necessary
 steps should be at
 once taken.

It may state a number
 of these notices have been
 printed and on the 1st of
 this month were sent to
 the Commissioner with
instructions

961

instructions to have them posted in the requisite localities.
No. 2. A Reservation at Laggan would I think be highly judicious, there are so many points of beauty, however, through the mountains it is hard to decide what particular ones should be reserved.

The next point, not mentioned however by Mr. Ross, would I think be at the Kicking Horse Lake, just at the head of what is known as the heavy grade leading down to Mount Stephen, from this Lake to Mount Stephen, I think nearly all the timber of any value in proximity to the line of Railway has been cut and utilized in the construction of the road

so

and it is to have them
 posted in the respective localities.
 No. 2. A reservation at Lappan
 would I think be highly
 judicious, there are so many
 points of beauty, however,
 through the mountains
 it is hard to decide what
 particular ones should be
 reserved.

The last point, not mentioned
 however by Mr. Bass, would
 I think be at the thick end
 of the lake, just at the head
 of what is known as the
 heavy grade leading down
 to Mount Stephen, from this
 lake to Mount Stephen I
 think nearly all the fine
 scenery of any value in proximity
 to the line of Railway has
 been cut and utilized in
 the construction of the road

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so that in making a reservation here it is probable no timber of any value would be included and it might be advisable ~~to~~ say a mile on each side of the Railway line from the upper end of Kicking Horse Lake to a mile below the tunnel ~~at~~ Mount Stephen should be reserved. With the exception of timber which might be required for any mining that might in the future be developed. I do not foresee that the timber is likely to be removed however as it is in the interest of the C.P. Railway that the beauty of all the striking points along the line of their Railway should be preserved, the making of these reservations gives them

as that in making a road.
 nation here it is probable
 no timber of any value would
 be included and it might
 be considerably less a mile
 on each side of the Railway
 line from the upper end of
 the road to a mile
 below the tunnel it would
 be secured should be secured.
 With the exception of timber
 which might be required
 for any mining that might
 in the future be developed.
 to do not foresee that the im-
 port is likely to be removed
 however as it is in the im-
 mediate of the S. P. Railway
 that the beauty of all the
 striking points along the
 line of this Railway should
 be preserved the making
 of these reservations gives
 them

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them the necessary authority to protect such points. If however any mining development took place here it would almost be impossible to protect the timber.

The next point that is mentioned is the summit of the Selkicks, I think certainly there should be a large reservation made at this point. This reservation will include timber of some value, but not I think to any considerable extent.

The next point Three Valley Lake is a very pretty point. What it looks like from the line of Railway I do not know, but in travelling by the old wagon road this lake was crossed on a scow and when out on the sheet
of

them the necessary authority

to protect such points. If
however any mining deal
of any kind took place there it
would almost be impossible
to protect the timber.

The very point that is
contested is the summit
of the hill, I think, I think
certainly there should be
a large reservation made
at this point, this reservation
will include timber of some
value, but not I think so

any considerable extent.
The very point that is
contested is a very pretty point.
What it looks like from the
line of Robinson I do not
know, but in travelling up
the old wagon road the
lake was crossed on a bar
and when out on the lake

961

of water which is nearly three miles in length the scenery is striking.

The point on Shushwap Lake referred to is I think between big and little Shushwap Lakes, a beautiful park like flat covering a considerable area, this I think will prove to be an Indian Reserve.

You may remember Mr. Van Home speaking to you last autumn about making certain reservations of the large timber which is to be seen at various points through the mountains, there is one point, but whether it is still Dominion land or not I am not certain, on which is growing some of the most magnificent white pine which

of water which is nearly
 three miles in length the
 scenery is striking.
 The point on which the
 lake is situated is a little
 better than a good one
 but the flat covering a
 considerable area, this
 I think will prove to be an
 Indian Reserve.

You may remember the
 point of view looking to the
 east, looking about making
 certain observations of the
 large number which is the
 best of various points that
 the mountains, there is one
 point, but whether it is
 still a mountain land or not
 I am not certain, on which
 is growing some of the most
 magnificent white pine
 timber.

961

which I presume could be found any where. This point is in the Eagle Pass and about 20 miles East of the west end of said pass, that is about 20 miles from Shushwap Lake, there is a flat there which probably contains half a mile square and on it you can see from the trail about 10 large pines, probably there may be 20 in all, one of these I should infer was at least 8 feet in diameter and I should say a hundred and fifty to the first limb, and straight as an arrow. There were some very large cedars growing near the mouth of a Beaver river in the vicinity of the Railway line, these however like

all

which I presume could be
 found only where this point
 is in the Eagle Pass and
 about 20 miles east of the
 west end of said Pass,
 that is about 20 miles from
 Shoshone Lake, there is a
 flat there which probably
 contains half a mile square
 and on it you can see from
 the trail about 10 large
 pines, probably there may
 be 20 in all, one of these
 should infer was at least
 2 feet in diameter and I
 should say a hundred and
 fifty to the first kind and
 straight as an arrow. There
 were some very large cedars
 growing near the mouth
 of a Beaver river in the
 vicinity of the Railway
 line, these however like
 all

all the very large white cedars in the Selkirk are hollow and in clearing up along the right of way the majority of them have been burned up.

I think that at a great many points along the line of Railway, where trees can be seen in going through the Selkirk these might have the smaller timber cleared away from immediate round them and be ~~levelled~~ ^{levelled} as we find them in some of our City Parks. Cautioning the public to in no way injure them, this course would probably attain the object aimed at without making any special reservation.

While on this head I

think

all the very large white
 cedars in the hills are
 fallen and in clearing up
 about the right of way
 the majority of them have
 been burned up.

I think that at a great
 many points along the line
 of railway, where trees can
 be seen in going through
 the hills these white
 have the smaller timber

cleared away from them.
 It is hard to find them and
 be ~~sure~~ as we find them
 in some of our city parks.
 Concerning the public tax
 no way is there. This
 cause would probably
 return the object aimed
 at without making any
 special resolution.

While on this head I

think

think it would be well if the C. P. Railway were written to, calling their attention to the necessity in their own interests that the timber along the line of Railway should be protected from the liability of forest fires, and request that any timber now on the right of way not burned up should be so burned before the dry summer weather in fact it would be advisable that this were attended to before the 1st of May next.

Mr. Higginson informs me that there is a grove of immense cedars of about 100 acres in area, on the south side of the Illcillewaite, about half way between summit of Selkirk and

Angus

think it would be well if
 the S. P. Railway were written
 to calling their attention
 to the necessity in their own
 interests that the timber
 along the line of Railway
 should be protected from
 the liability of forest fires
 and request that any
 timber now on the right of
 way not burned up should
 be burned before the dry
 summer weather in fact it
 would be advisable that
 it is now intended to before

the 1st of May next.

The Mississippi river
 that there is a grave of
 immense extent of about 100
 acres in area, on the south
 side of the Mississippi
 about half way between
 summit of Belknap and

Cropus

Angus the second crossing
of the Columbia, and another
large grove on the south
side Illecillewaite about 10
miles East of Angus

There is another point
which should be reserved
viz. Albert Canyon on the
Illecillewaite about 25 miles
West of the summit of the
Belkirs. This is a lovely spot.

H.P.

among the head crossing
 of the Columbia and another
 large gap on the south
 side of the mountain about 10
 miles east of Canyon
 there is another point
 which should be reached
 viz. about Canyon on the
 mountain about 25 miles
 west of the summit of the
 divide. This is a good spot.

H. P.

3rd April 6.

Sir,

I have the honor to
 enclose herewith letter ⁵⁴⁹⁶⁴/_{13,6891}
 of your office, and in reply
 to state, that if there is no
 contra claimant to the 1/4
 section, I can see no rea-
 son why Bucharme should
 not be granted Pre-emption
 entry. The reason it was
 not allowed to him in
 the decision rendered
 by the Land Board is because
 he did not apply for the
 same.

I have the honour to be

Sir,

J. H. Smith, Esq
 Commissioner of
 Dominion Lands,
 Winnipeg.

Your obedient servant,

J. H. Lawrence

Deputy

25 p

2nd April

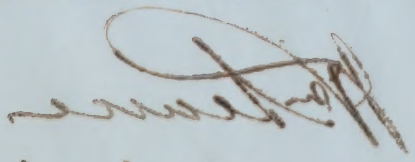
Sir,

I have the honor to
 enclose herewith letter
 of your office, and in reply
 to state that if there is no
 further claimant to the
 section, I can see no reason
 why such a name should
 not be presented for completion
 only. The reason it was
 not allowed to him in
 the decision rendered
 by the General Board is because
 he did not apply for the
 same.

I have the honor to be

Sir,

Yours obedient servant



J. H. Smith

J. H. Smith Esq
 Commissioner of
 Customs and
 Excise
 Birmingham

927⁸⁷⁷
3rd April 6.

Sir,

I have the honour to
 acknowledge yours of the
 27th March, Reference $\frac{51844}{50553}$ and
 and in reply to state that $\frac{51844}{50553}$
 it was intended that in-
 structions to the Agent
 should be sent from your
 office.

For convenience of
 record, it would probably
 be advisable to instruct
 the Agent on each case
 separately, make the draft
 of same, the basis of the file
 for your office.

This

H. Smith, Esq.,
 Commissioner of
 Dominion Lands,
 Winnipeg,
 Man.

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3 April 0.

Sir,

I have the honour to acknowledge yours of the 27th March Reference 20303 and in reply to state that it was intended that instructions to the Agent should be sent from your office.

For convenience of record, it would probably be advisable to instruct the Agent on each case separately, make the draft of same, the basis of the file for your office.

This

H. Smith, Esq.
Commissioner of
Immigration
Singapore
P.O.

868

this I think will prove
 very convenient in any
 further correspondence
 that may arise over any
 of these cases.

I have the honor to be,

Sir,

Yours obedient servant.

Wm. L. Garrison
 Junr.

this I think will prove
very convenient in any
further correspondence
that may arise over any
of these cases.

I have the honor to be,

Sir,

your obedient servant.

W. Pearce
Sup^r

928

964

2nd April, 6.

7968.M.A.

Sir,

Carrier in his declaration taken before H. A. Ruttan on 6th May 1885 states.

"I bought this lot from Edward Richard sometime in 1882, paid \$600⁰⁰ cash for it. No one had lived on the lot before I bought it. I have resided there continuously since I bought from Richard."

States he has 32 acres broken, is cropped, and buildings to the value of \$2000.

If that statement be correct he would be entitled now to Homestead Patent; but if through assignment, sale or other

H. H. Smith, Esq.,

Cause

Commissioner,

Dominion Lands,

Winnipeg.

430

. iffo that farnas et edus
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 ti a naitesjs ar ed b f-milof
 ref 201# to mist bled print

. 2000

it a karat ut rust b

rib

f-milof f-milof f-milof

f-milof

f-milof

964

cause he cannot take affi-
davit required in Homestead
patent I see no objection to it
being sold him at \$1.00 per
acre.

I have the honor to be,
Sir,

Your obedient servant,

W. H. Pearce
Supt.

2nd April 6.

Sir,

Will you kindly look through your Office and ascertain if Head Office Files Nos. 99195 and 99207 are with you. These Files relate to a portion of the Secs. 11 and 12, Tp. 45, W. 2nd the land in dispute between T. G. Agnew and Hayter Reed, and L. Schmidt.

These files were in my possession during my last visit to Prince Albert and I returned them, at least I feel certain I did, to the Head Office with other papers in connection, which I had along with me during that visit. It is just possible however, that I may

have

H. H. Smith Esq.,
Commissioner
Dom. Lands,
Winnipeg man.

2nd April

Sir,

This year kindly look
through your Office and see
how if the Office files has
1914 and 1920 are with you.
These files relate to a portion
of the Dec. 11 and 12, 1914, U.S.
the land in dispute between
T. D. Rogers and Douglas Reed.
and A. Schmidt.

These files were in my
possession during my last
visit to Prince Albert and I re-
turned them at least I feel
certain I did, to the local Office
with other papers in connection
which I had along with me
during that visit. It is just
possible however, that I may
have

Wm. H. Smith Esq.
Commissioner
Dawson, Alberta
Edmonton, Man.

have given them to Mr. Geo.
 Duck to which he was to cut
 back any further evidence which
 he might obtain during his
 trip there with P. L. Burroughs
 about when the latter was
 making certain surveys
 of the land in question. Mr.
 Duck will no doubt remem-
 ber whether such was done.
 It is particularly desirable
 that these should be found
 out here so that the last claim
 pending on the bank should
 be removed can be disposed of.
 Mr. Harcourt says of the land
 in question came duly to
 hand.

I have the honor to be,
 Sir,

Yours obedient servant

J. L. Harcourt
 Esq.

965

have given them to Mr Geo. Duck to which he was to attach any further evidence which he might obtain during his trip there with D. L. Surveyor Sproat when the latter was making certain surveys of the land in question. Mr Duck will no doubt remember whether such was done.

It is particularly desirable that these should be forwarded here so that the last claim pending on the South Saskatchewan can be disposed of.

Mr Sproats map of the land in question came duly to hand.

I have the honor to be,
Sir,

Your obedient servant

Wm Pearce
Sup^t

Gentlemen

I have the honor
by direction of the
Minister of the Interior
~~to inform you in~~
~~reply to your appli-~~
cation of the 3rd March
1886, having reference
to a former application
of yours of November 1884,
applying for land in
the vicinity of the
intersection of the C.P.
Railway and Otter
Tail Creek.

In your application
of the 3rd instant you
ask for the grant of
320 acres of land, it
is presumed that this
will be either the north
or south $\frac{1}{2}$ or east and
west $\frac{1}{2}$ of 640 acres ap-
plied by you on the
10th November last of
which the following
was the description
said

888 039

File 8174

338

Baltimore
 I have the honor
 by direction of the
 Minister of the Interior
~~to inform you~~
~~that your application~~
 of the 3rd March
 1880, having reference
 to a former application
 of yours of November 1880
 for land in
 the vicinity of the
 intersection of the D.
 Baltimore and other
 Rail Roads.

In your application
 of the 3rd instant you
 ask for the grant of
 300 acres of land, it
 is presumed that this
 will be either the North
 or South 1/2 or both
 of 640 acres ap-
 plied for by you on the
 10th November last of
 which the following
 was the description
and

said 640 acres to be one mile square, its easterly boundary intersecting the C.P. Railway at the south westerly end of the bridge over said Alter Sail Creek its North East angle being 60 chains north of the point of intersection of the easterly limit with the centre of the line of the C.P. Railway.

The Minister bids me state that either the East or West $\frac{1}{2}$ North or South $\frac{1}{2}$ of the above 640 acres will be granted to you an erection, within one year, on this property of reduction works suitable for the purposes indicated in your letter of the 3rd instant - that is for the economical reduction of the low grades of ore found in this vicinity.

This grant of 320 acres to be subject however to the following conditions, the reserving
there

and to cover to be
 over with square
 wooden boards
 in the middle of the
 doorway at the south
 end of the
 bridge over said water
 tail back its north end
 and being so chained
 back of the point of
 intersection of the east
 and west lines with the
 center of the line of the
 R.R. Railway.

The Minister tells
 me that that water
 the east or west 1/2 inch
 or south 1/2 of the above
 40 acres will be granted
 to you on condition
 within one year or
 this property of reduction
 work suitable for the
 purpose indicated
 in your letter of the
 18th instant that is
 for the location of
 reduction of the bar
 grades of our former
 in this vicinity.
 This grant of 40 acres
 to be subject however
 to the following
 conditions, the return
 there

966

there anything that
should ^{be} required for
right-of-way or station
purposes by the C.P.
Railway also to any
mineral rights which
may be at this time
acquired and right
to also mine in the
future for any minerals
on the land in question
that is such mining
rights as may be required
under the provisions
prescribed by the Dom-
inion Mining regulations.

You will please indicate
which half of the foregoing rule
you select.

that anything that
 should be done
 right of way or station
 purposes by the U.S.
 and also to any
 mineral rights which
 may be at this time
 acquired and right
 to also mine in the
 future for any mineral
 on the land in question
 that is such mining
 rights as may be required
 under the provisions
 provided by the law.
 minor mining operations
 for such purposes
 within half of the foregoing but
 please see below.

931

967

Mr. SmithOttawa, 5th April, 1886.

Dear Mr. Smith,

Yours of the 28th ultimo
 having reference to the leasing
 of school lands has been some
 time before me. I have had a
 discussion with the Deputy
 Minister on this matter and
 he thinks it is a subject
 which had better be allowed
 to lie, the less the Govern-
 ment have to do with these
 school lands probably the
better

A. H. Smith, Esq.,
 Commissioner,
 Dominion Lands,
 Winnipeg.

131

Handwritten signature

2881, lirkpth2, puottl

Alimb not not

amille^{br}2 et jo luyf

pmidol et at amurefer pmicust

amad met don about soared p

a boat suort b . am wafet amil

plungel et rirul madduall

hmo kettare dit no keldimim

teijlud a d i d kmitt et

beuallu et kettel boat naitul

. mowet et det et, et at

edert rirul ab at suort tmet

et pldotary about soared

kettel

. pld. Alimb. p.

. maddimmo

. about maimmo

. pldimmo

130

.2

jo "Hedem" er ni Hest Kille
 er jo bnd domus toad er
 .fledt i nemmevab
 .mae doe elothim laep d
 jo elad er jo, 1881 ni bittim
 .neub meit do domot eler
 .berrefeb priet begil
 .Ragge" me suat e bluat
 eludib at elerent pilim
 .Hedem er Hine Kille er
 .refet ni, ab at er e Hine
 .erwerd jo elad laet at sone
 .Hedem er ni milled
 me spru elad e, suled
 .Hedem er jo spru elad do mit
er

2.

better both in the interest of the school funds and of the Government itself.

A great mistake was committed in 1881, by the sale of these lands at then advertised being deferred.

Should I have an opportunity therefore to discuss this matter with the Minister, which I hope to do, in reference to that sale of Brown's section in the Mennonite Reserve, I shall urge on him as strongly as possible the

967

8

the advisability of placing these lands on the market so soon as the times in Mami. Toba will warrant it.

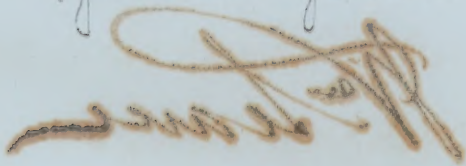
It may be possible that when the Amendment of the Land Act is introduced in the House, a discussion there on this point will be provoked, and I think it will be well for the Minister to obtain as far as possible an expression of the views of the members on this particular point. If I were a politician favorable

To

232

4.

blou t Inmmevatt et a
 .mad ne metus hont idppid
 bloua radup mad sillin
 pmibivaf edual a swat
 bttoypd wat abnot juno af
 et stovaf blou dit, rapu
 met bnp maddudib berideb
 a dle et blou sildinitt et
 et fo pmiluf et bmoalabnu
 .rellan dit to adwat

pluit juus droup


4.

To the Government I would suggest that when in Committee some person should move a clause providing for any lands now squatted upon, this would provoke the desired discussion and then the Minister would be able to understand the feeling of the House on this matter.

Yours very truly.

W. Pearce

932

968

Ottawa, 5th March, 1886.

My dear Mr. Smith.

Yours of the 26th March
unofficial, relating to lot
number 22 St. Peters came duly
to hand, the file relating
to this particular case I
cannot obtain it being with
the other St. Peters files in-
vestigated and reported
upon by Messrs McCabe and
Whitcher which have not
yet been disposed of.

Mr. Burgess' view of the
case is this, if prior to the
first

H. H. Smith, Esq.

Comr. Dom. Lands
Winnipeg.

Uttamur, March 1880.

My dear Mr. Smith,
 Yours of the 25th received
 in official, relating to the
 number 22 St. Peter's case being
 to hand, the file relating
 to this particular case I
 cannot obtain it being with
 the other St. Peter's files in
 the office and reported
 upon by Messrs. L. C. and
 others which have not
 yet been disposed of.
 The Bureau's view of the
 case is this, if prior to the
 first

888

first Indian treaty a half.
Heed not his claim, and
bats of treaty was made, he
declared himself an Indian
by accepting treaty such a
purchase of land would not
establish a good claim
under the Hamilton Act.
If any individual took treaty
and while taking treaty
or even subsequent to ceasing
to take such treaty he sold
his individual holding
though he was in possession
of it prior to the transfer
his claim should not be
recognized under the Ham-
ilton Act.

11

first Indian treaty, a half-breed sold his claim, and date of treaty was made, he declared himself an Indian by accepting treaty, such a purchase of land would not establish a good claim under the Manitoba Act. If any individual took treaty and while taking treaty or even subsequent to ceasing to take such treaty he sold his individual holding though he were in position of it prior to the transfer his claim should not be recognized under the Manitoba Act.

968

838

If however a half-breed not-taking treaty sold his land such sale being subsequent to the Indian treaty made with the band and this half breed after the sale of his lot joined such band, his claim shall be recognized in the Manitoba Act. In other words at date of sale he had not declared himself an Indian though he had an opportunity of doing so. The purchaser would be warranted in purchasing that he afterwards joined the band is a matter beyond the purchasers control, a matter wholly

of having a half-breed
 not taking credit for his
 band such as being
 subordinate to the Indian
 treaty made with the band
 and this half-breed after
 the sale of his lot joined
 such band, his claim shall
 be recognized in the transaction
 but in other words of date
 of sale he had not declared
 himself an Indian though
 he had an opportunity of
 doing so. The purchase would
 be warranted in purchasing
 that the affidavit joined the
 band is a matter beyond the
 purchaser's control, a matter
substantive

888

but they between the half breed
and Indian man

but they affect the Indian but
however would have on the
cases of men who prior to the
transfer occupied lots in the
city, and was under the
provisions of said Indian
act they were to be Indians
would have in establishing
a claim to said building
under the provisions of the
a legal point, and think
rather complicated and
which should be referred to
the Department of Justice for
advice

Yours very truly

Wm. H. Hunt

[Faint, illegible handwritten notes in the left margin, possibly bleed-through from the reverse side.]

933

For Mr Douglas10 43 583 102

The first is letter 110770 in your instructions both to the Agent and the Commissioner of the 11th instant, the land effected should read W² Sec. 10 T⁴24, R. 1. W⁵7, not S. 25, that explains the Commissioners letter of the 23rd ultimo in which he says the lands have been homesteaded by one J. W. Dwyer. It would be well to have this corrected.

On the next is 102, 110254. Acknowledge Scullans letter and tell him that the matter has been referred to the Land Board and the Land Commissioner of the C. P. R. to settle that this is a point regarding

His

his right to his 14 section is purely a legal one and if the C.P.R. insist on being treated from that stand point there is no alternative, but they have been urged in this case to act with as much liberality as ~~possible~~ ~~their case~~. You may add that the Minister has taken a very deep interest in his case and regrets that he is unable to afford him any more assistance than is here indicated.

109193. This will require two answers, you will see there are three sheets having this memorandum. On first acknowledge the resolutions as to parties being allowed to reside

his right to his position is
purely a legal one and if the
D.P.R. wish on being treated
from that stand point there
is no objection, but they have
been wrong in this case to act
with as much liberality as
~~this case~~ for they add that
the Minister has taken a
very deep interest in his case
and regrets that it is wrong
to afford him any more assistance
than is well indicated.

10193 This will require two
answers you will see there
are three sheets bearing this
number. The first is
therefore the remainder as
to parties being allowed to
reside

969

reside within two miles of their
homestead in Sp. 24, R. 1, W. 5th and
state that this matter has
received the ministers con-
sideration, that proposed
amendment to the Dominion
Lands Act will shortly be laid
before the House, and if the
opinion of Parliament is such
that what they ask for should
be extended, there is no doubt
it will be done, but at present
the Minister feels that he can-
not accede to their request pend-
ing such expression of opinion.
In the meantime if these parties
are to prevent their homestead
from being rendered liable
to cancellation it will be to
their advantage that they
comply

inside within two miles of their
 boundary in the G. W. T. and
 state that this matter has
 received the minister's con-
 sideration, that proposed
 amendments to the Dominion
 lands act will shortly be laid
 before the House, and if the
 opinion of Parliament is such
 that what they ask for should
 be granted, there is no doubt
 it will be done, but at present
 the Minister feels that he can
 not accede to their request
 and such expression of opinion
 in the House if they pass
 on to prevent their Dominion
 from being rendered liable
 to expropriation it will be to
 their advantage that they

concluded

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comply with the residence clause
of the Dominion Lands Act -
that is the personal residence
of their respective Homesteads.
Again with reference to them
having ~~connection~~ ^{reference} with Augustus
Carney's case, acknowledge it
and state that in August last
when Mr Pearce was in Calgary
by request of the President of
the Board of Trade he was
present at a meeting ^{of that Board} in which
this Carney matter was dis-
cussed, that on an explanation
of the matter given by him to
the Board of Trade, a resolution
was passed thanking Mr Pearce
for his courtesy in the matter,
and they considered that Mr
Carney had been dealt with,
at

comply with the intention of the
of the Governor's Council
that is the general intention
of this respective Councils.
again with reference to the
having ~~conferred~~ ^{conferred} with
Councils and ^{advised} it
and state that in August last
when the Council was in session
by request of the President of
the Board of Trade to be
present at a meeting in which
this Council matter was dis-
cussed, that on an explanation
of the matter given by him to
the Board of Trade, a resolution
was passed thanking the Council
for his courtesy in the matter,
and they considered that the
Council had been dealt with
at

at least fairly, that since then there has been no change in the conditions awarded Carney which have entailed greater hardship upon him. Carney's case has received the most serious consideration from the Minister and he does not see any ground for interfering with a decision already arrived at.

108546. In answer to that send about the following letter to the Agent at Calgary, and also enclose copy of the same to the Commissioner for his information." Sir, I have the honor to acknowledge the receipt of your letter of the 26th February N^o 1359, having reference to a claim

at least fairly, that since then
 there has been no change in
 the conditions surrounded by
 which have entailed greater
 hardship upon him. Counsel
 case has received the most
 serious consideration from the
 Minister and he has not at all
 seemed for interfering with a
 decision already arrived at.

108546. In answer to that
 sent about the following letter
 to the report of the report, and
 also enclosed copy of the same
 to the Commissioner for his
 information. Sir, I have the
 honor to acknowledge the receipt
 of your letter of the 25th January
 1854, having reference to a

claim

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claim preferred by one Louis
Lihiondelle to a portion of the
N.E. of Sec. 16, Tp. 24, 108th, and in
reply to state, first the Minister
thinks it advisable that all
such communications should
be first sent to the Commissioner
a vast majority of these can be
settled by him without reference
here thereby relieving the work
of this Department, the Com-
missioner will be the judge
as to the ones necessary to be
referred for the opinion or ruling
of the Minister. In the second
place you might state that
Lihiondelle settled on the N.E. of
this section several years ago.
Several years ago is very indefinite.
It is particularly desirable that
all

I have prepared by one of our
 librarians a copy of the
 N. of Dec. 10, 1881, #2, and in
 reply to state that the Librarian
 thinks it advisable that all
 such communications should
 be first sent to the Librarian
 a copy of them can be
 sent by him without reference
 but thereby relieving the work
 of this Department, the Com-
 missioner will be the judge
 as to the over necessary to be
 referred for the opinion of
 of the Librarian. In the event
 please you might state that
 Librarian settled on the 10th
 this section several years ago.
 several years ago is very indefinite.
 It is particularly desirable that

all

969

all Agents in furnishing information of cases of this nature in fact of any kind shall be as precise and concise as possible and you have been furnished with blank forms on which evidence of this nature should be furnished. further the following evidence in regard to these claims was furnished by your Agency on 27th February 1880, and if you have no record of the same you should have. In all such cases a duplicate of the evidence taken should be retained in the office of the Agent. In that evidence he states he first made improvements in February 1882, commenced residence in a tent in 1883 that

all

all reports in furnishing in
 formation of cases of this nature
 in fact of any kind should be
 as precise and concise as possible
 and you have been furnished
 with blank forms on which
 evidence of this nature should
 be furnished, further the fol-
 lowing evidence in regard to
 these claims was furnished by
 your agent on February 1882
 and if you have no record of
 the same you should have in
 all such cases a duplicate of
 the evidence taken should be
 retained in the office of the
 agent. In that evidence he
 states the first made in person
 in February 1882, corroborated
 residence in which in 1882 that

all

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all the improvement he has, is a house worth \$150⁰⁰ he says between February '82 and May '83, he was living off and on, on the place, presumably in a tent, his occupation was rafting timber down the Bow River. Mr. Lihiondelle does not state that he was not aware that he was settling on reserved lands in fact he must ^{or should} have been aware of it. From the size of his house one lot should be sufficient, the majority is on the street and probably the municipality of Calgary may allow it to remain there until it requires rebuilding, but that he may have something definite on which to erect any further buildings he may wish, you may inform him that the Minister has decided that

all the improvement he has, is a
 house worth \$150⁰⁰, the day between
 February 22 and May 23, he was
 living off and on, on the place,
 presumably in a tent, his occupation
 was raising timber down the bar
 river. The timberable land was not large,
 that he was not aware that he
 was cutting on reserved lands in
 fact he must have been aware of
 it from the size of his house and
 should be sufficient, the majority
 is on the bank and probably the
 municipality of Georgetown
 it to remove this until it appears
 rebuilding, but that he may have
 something definite on which to
 back any further building he
 may wish, you may inform him
 that the Minister has decided
that

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that a free gift of lot 3 may be made him or will sell him lot 3 and together at one half the upset price, if he accept the latter proposition he will be required to pay \$1500 cash, you may give him 60 days to elect which he will choose, failing to comply with either all claim of Libirondele to lapse.

W.P.

that a few gift of \$100 may be
 made him & will sell him the
 and to either at one half the
 value price, if he accepts the latter
 proposition he will be required
 to pay \$100 cash, you may
 give him 60 days to elect
 which he will choose, failing
 to comply with either all claim
 of this is to be paid.

W. P.

Ottawa, 5th April, 1886.

Memorandum.

Re S.E. $\frac{1}{4}$ Sec. 32, T.P. 12, R. 5, W. 3rd.

It may be as well probably to give a general history of Medicine Hat Squatters' matter, a brief one.

About the first of April, 1882, or within one or two days of that date, Mr. Perry, an engineer in the employ of the Canadian Pacific Rail. way ran a line across the Saskatchewan River on the South East $\frac{1}{4}$, Section 32-12-5, West 3rd, and across the island claimed by Butler. In August following the line

line was changed by one H. P. Bell, an engineer, and located where it is now, crossing the Saskatchewan on North West $\frac{1}{4}$ 31 in the same Township. Early in ^{April} 1882 one thousand notices were issued by the Dominion Lands Commissioner, warning persons against settling within the mile Belt. These notices were sent out to the various engineers in the employ of the Canadian Pacific Railway to our Surveyors, also to all the Indian Agents and mounted police officials throughout the North West whose duties during that year would bring them where the line has been located.

Early in October under instructions

instructions from the Minister of the Interior a reserve of two townships around the crossing of the Saskatchewan by the Canadian Pacific Railway was proclaimed by the Commissioner of Dominion Lands. A large number of notices of the same were printed; these were sent to Lieutenant Governor Dewdney to be by him sent to officials in the North West, who would see that they reached the persons who were interested thereby. These notices reached their destination, as on the 10th November 1882, a petition from these settlers protesting against such notice is forwarded to the Minister of the Interior.

At

at least that is the date of the petition but it appears not to have reached this office till the following March. Butler's name appears on the petition. In May, 1883 under instructions from the Commissioner, I made an inspection of all the squatters within the Medicine Hat Reserve and obtained, there, evidence in reference to their improvements and residence up to that date and their respective claims. Among others I took the evidence of W. H. Butler concerning the South East $\frac{1}{4}$ Section 32, in that he states he was 32 years of age, born in Ontario, came from New York State to the North West in 1875 as member of the mounted police, by occupation

je ilok ete a hoch level so
 ten asedde hi luv willed ete
 eighe ete bekessent wut al
 .dewon praveret ete mit
 no asedde enno eilend
 1881, wut ro . willed: ete
 ete wut asedde wut enno
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 luv enno ete mit
 wut, bewillend bno wut
 ete al wut enno enno
 wut bno al wut enno
 ete bno ete ete al qu
 praveret . wut willed
 je wut ete ete h wut
 ete praveret wut . wut
 in, se willed, h, luv wut
 wut se wut ete ete ete
 wut, bewillend in wut, wut
 ete al ete ete wut wut
 wut se 1881 in luv ete
 wut, bewillend wut je
wut

occupation a machinist, remained 3 years in the Police Force and until March 1882, was engaged by either the Mounted Police or Indian Department among other things was butchering for the latter Department.

About the 20th of April, 1882, he commenced to cut logs for his house, ~~that~~ he commenced his residence on this quarter section in April 1882, since that date up to the date of affidavit namely 29th May 1883, has been absent not more than 3 months from his claim that his occupation had been fishing and improving his claim, that he had 4 acres of breaking; 1 1/2 done in 1882, the remainder in 1883, he had in
all

all about a quarter acre cultivated, that he had a house worth a hundred dollars and a storehouse in course of erection worth \$10.

(Probably the improvement then could now be replaced for \$40⁰⁰) that he owned one horse, had a quarter interest in a plough, one cart and cart harness, double wagon, harness, that he had one of his horses stolen. He makes this further statement "about one month after I first squatted here a party who was then in Fort Walsh, knowing that I was hard up, advanced me provision that lasted me four or five months, the understanding between us was that the

"I had a good location and acquired a title he was to have an interest in the claim. The particular interest was specified." At that time on May 1st, 1883, A. Dougherty, a lawyer from St. Mary's was practicing at Medicine Hat, he appeared to me on behalf of Butler, I told him that so far that portion of 1/4 section which was an Island, was concerned that it was not unlikely that Butler would ever be permitted to require the title thereto, rather might be his fault regarding the rest of the quarter section, that Island and probably were reserved. On the 30th May 1883, there was an application by Butler for this quarter section, the application

the hand

Application is in writing of
said J. A. Longbeed. He states
that he wants the Island
portion of the quarter section
particularly as he intends
to convert the same into a
summer resort and intends
making valuable improve-
ments thereon. He is written
to on the 30th June following
in reply to this, and he is
told that the land is not
surveyed and nothing can
be done in the matter and
that it is within the Govern-
ment Reserve at Medicine
Flat, and the Government,
unless it is merely agricul-
tural lands, will not re-
cognize any claim he may
have to it, he is further told
a copy of the petition has
been sent to the Dominion
Lands

970

Lands Commissioner.

There is nothing further on file from him except an affidavit taken before Mr. Commissioner Smith on the 10th of June last; in that he states he commenced his residence in March 1882 and he has been continuously living on this until the Indian and half breed outbreak in March 1885, that he has a house worth \$225, other buildings to the value of \$440. That his occupation while living on the claim has been farming and fishing (he should have added his chief occupation has been making root beer and peddling the same, as I have seen him several times

engaged

. surrounded about
 no other points in fact
 no life but only if
 . was not taken before
 no kind of surrounding
 but in fact was of it
 it became at first at
 1881, about in various
 central and east of low
 little dirt no small place
 been just low ground at
 , 1881, about in the
 about east of it
 at a small point, 1881
 dirt - 1881 . 1881 of the
 small little village
 and east of it
 at point low ground
 dirt below east of low
 and east of village
 low red dirt point
 1881, about in the
 with low dirt and

leaves

970

engaged in that occupation) that he has between 4 and 5 acres cropped, he states that his improvements have been kept back on account of the warning he received from Mr. Pearce (Mr. Pearce's warning consisted of serving him with a copy of a printed notice which is alluded to in the petition signed by Butler dated November 10th 1882. I did not see him till 29th of May 1883, any warning I gave him was the same as was contained in that notice, except so far as my opinion related to the Island portion of this quarter section). He refuses to give the name of the party who had entered into an agreement with him, in
reference

reference to the land he states the agreement was simply that party was to be repaid ~~any~~ advances; he was to have had no interest in the land; that the former statement was taken down incorrectly. (He does not state why, if it was incorrectly taken down he signed the same as he read it over before signing it.)

I have repeatedly seen Butler, and have told him on every occasion that it would be impossible for him to obtain entry for the Island portion of his quarter section. At the time that he settled there on this Island contained considerable timber; it may have

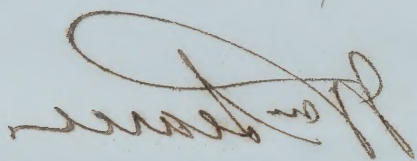
have been destroyed, but it should
have been protected as it
added greatly to the beauty
of the vicinity.

Respectfully submitted,

Wm. Pearce

5/4/86

please send me a copy
 of the book, "The
 History of the
 United States at the
 present time, &
 the future of the
 Republic."



2/4/88

935

971

unofficial

Ottawa, 6th April, 1886.

My dear Mr Smith,

In reply to
yours of the 19th ult., B. 6791 1/2
I have discussed the matter
and ascertained that a
communication of Mr A.
Beggs of High River has been
replied to, which reply was
submitted to the Minister
and his approval obtained.
A copy of that reply will
go forward in a day or two.
probably

A. H. Smith, Esq.,
Commissioner of
Dominion Lands,
Winnipeg.

915

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Wm. J. Smith

Ottawa, 6 April 1886

My dear Mr. Smith,

In reply to
 yours of the 14th ult. B. 671/2
 I have discussed the matter
 and ascertained that a
 communication of Mr. G.
 Lepp of High River has been
 replied to, which reply was
 submitted to the Minister
 and his approval obtained.
 A copy of that reply will
 be forwarded in a day or two.
 Sincerely
Wm. J. Smith

Wm. J. Smith, Esq.,
 Commissioner of
 Dominion Lands.

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probably with reach your
before this class. In the
communication to you
concerning the same, some
comments are made on
the matter as to the care
necessary in such cases
to prevent fraud.

My own views are
that stock should not be
considered at all in the
matter, or rather that out-
side of the ownership of
stock there should be suf-
ficient evidence of possession
file to warrant issue of
patent.

L

probably will reach you before this does. In the communication to you enclosing the same, some comments are made on the matter as to the care necessary in such cases to prevent fraud.

My own views are that stock should not be considered at all in the matter, or rather that outside of the ownership of stock there should be sufficient evidence of bona-fide to warrant issue of patent.

L

3.

I can conceive cases where if possession of stock is to be substituted for improvements that it opens the door to the acquirement of 160 acres of land without payment. and also without in any way increasing either the population or productiveness ~~and~~ that section of the Country. As for example we will take the case of residents in Calgary. Today there are several of them who have small quantities of stock varying from 10 to 60 and

some

learn however cases where
if possession of stock is to be
substituted for improve-
ments that it opens the
door to the acquisition
of 100 acres of land without
payment. and also with-
out in any way increas-
ing either the population
or productiveness of
that section of the country.
As for example we will take
the case of residents in
Calgary. Today there are
several of them who have
small quantities of stock
ranging from 10 to 50 and

some

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productiveness
 would be to increase the
 tries of giving home-made
 object in the proper way.
 -stated Patent. now the
 them applying for home-
 year, for three years, and
 for six months in each
 in a valuable residence
 the land and putting
 up a more shanty or
 acres of home-made, putting
 gentlemen entering 100
 to prevent any of these
 there would be nothing
 in any part of the country.
 that stock is becoming
 some of them 100 head.

some of them 100 head,
that stock is roaming
in any part of the country.
There would be nothing
to prevent any of these
gentlemen entering 160
acres of Homestead, putting
up a mere shanty on
the land and putting
in a colorable residence
for 24 months in each
year, for three years, and
then applying for Home-
stead Patent. now the
object in the grazing coun-
tries of giving Homesteads
would be to increase the
productiveness

971

5.

productiveness of that country. By putting up fences, and erecting corrals and stables for shelter, the grazing capabilities of any section can be very largely increased and I think that if these parties were compelled to make up these improvements it would be found then that they would see it to their advantage to do a certain amount of cultivation. I do not mean in the way of raising ~~of~~ grain for the sake of the grain, but I think

2.

productiveness of that com-
 munity. By putting up fences,
 and erecting canals and
 ditches for shelter, the pro-
 ducing capabilities of our
 nation can be very largely
 increased and I think
 that if these parties were
 compelled to make up their
 improvements it would
 be forced them that they
 would see it to their ad-
 vantage to do a certain
 amount of cultivation.
 I do not mean in the way
 of raising of grain for the
 sake of the grain, but I
think

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think particularly in the
 neighborhood of Calgary
 that the capabilities for
 sustaining stock in
 that district could be
 increased, at least two
 hundred per cent if the
 settlers would cultivate
 a few acres of oats and
 barley though it may not
 ripen. By cutting it when
 the grain has well filled
 out, curing it properly
 and using it for hay
 during the stormy
 part of the year for stock
 and during a large portion

of

think particularly in the neighbourhood of Calgary that the capabilities for sustaining stock in that district could be increased. at least two hundred per cent if the settlers would cultivate a few acres of oats and barley though it may not ripen. By cutting it when the grain has well filled out, curing it properly and using it for hay during the stormy portion of the year for ^{ordinary} stock and during a large portion

of

7.

of the same for the calves
or ~~and~~ crippled stock..
I think it is the duty of
the Department in fram-
ing Regulations that
this object if practicable
should be kept in view,
and I think it is practi-
cable.

I have sent this to
you unofficially as it
may to some extent conflict
with your official com-
munication and if you
approve of this, from the
powers conferred upon you
as Commissioner you

can

7.

of the same for the value
 or ~~and~~ ~~enriched~~ stock.
 I think it is the duty of
 the Department in form.
 and Regulations that
 this object of practice
 should be kept in view,
 and I think it is practi-
 cable.

I have sent this to
 you unofficially as it
 may to some extent conflict
 with your official com-
 munication and if you
 approve of this from the
 Bureau conferred upon you
 as Commissioner you

can

can be a very considerable
 extent carry out the same.

Yours very truly,



can to a very considerable
extent carry out the same.

Yours very truly,

Wm. Pearce

7 April 6

Sir,

I have the honor to acknowledge the receipt of yours of the 31st instant. Ref. $\frac{54482}{86929}$ and in reply to state that cancelled lands are usually in districts in which there is now a fair proportion of settlers, usually with the exception of lands subject to cancellation all those desirable are settled upon, if in such cases you permit on cancellation an application on Def. Breed land scrip, you render that settlers liable to have no further neighbors until by their

H. H. Smith Esq,
Comt Dom. Lands
Winnipeg.
Man.

dep

5 April

Dear Sir

I have the honor to acknowledge the receipt of yours of the 21st instant, and in reply to state that cancelled bonds are usually in districts in which there is now a fair proportion of settlers, usually with the exception of lands set first to cancellation all these desirable are settled upon, if in such cases you permit or cancellation or application on behalf of the land strip, you understand that settlers liable to have no further supplies until by their

H. H. Smith Esq.
Caret House, Bonds
Brimming
Wimmera

their improvement they
 under this land on which
 the deep bed of
 been located fairly valuable
 at least valuable enough
 to warrant its sale by the
 person who located ship
 thereon. As to take it the
 object, and chief object of
 cancellation is to induce
 settlement, otherwise the
 Minister might order that
 all cancelled lands should
 be sold whereas if you limit
 the application of half
 bed land ship to warrant
 Dominion lands you will
 to a very large extent limit
 it to settlers in which there
 is no settlement. Of course
 the same amount of land
 is locked up in both cases
 but if the latter, it is located
where

their improvements they render this land on which the half-Breed scrip has been located fairly valuable at least valuable enough to warrant its sale by the person who located scrip thereon. As I take it the object, and chief object of cancellation is to induce settlement, otherwise the Minister might order that all cancelled lands should be sold whereas if you limit the application of half-breed land scrip to unsettled Dominion Lands you will to a very large extent limit it to sections in which there is no settlement. Of course the same amount of land is locked up in both cases, but if the latter, it is located where

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where such action will do the ~~minimum~~ ^{minimum} amount of injury to settlers already located in the vicinity. In the former I think it would do the maximum.

However I think it would be advisable to make no general order on this matter let each case stand on its merits, as there may be cases such as the one cited in section 2.22-29 W. 4th where it would be advisable to enable a good settler to increase his holdings and that it might be done by the application Half Breed land scrip on cancelled lands.

I have the honor to be
Sir,

Your obedient servant

Wm Pearce
Supt

Block No. 1.

Bounded on the east by the westerly limit of the Province of Manitoba, on the south the International Boundary, being the 49th parallel North Latitude, on the west by the centre of the road allowance between Ranges 5 and 6 West 2nd Initial Meridian, in the system of Dominion Land Surveys, on the north by the centre of the road allowance, on the 9th correction line, being the road allowance between Townships 34 and 35 in the said system of Dominion Land Surveys, which is also the northerly limit of the Provisional District of Assiniboia

Block No. 2.

Bounded on the east by
The

Block No. 1.

bounded on the east by the
 western limit of the Province of
 Manitoba on the south the
 International Boundary being
 the 49th parallel North latitude
 on the west by the centre of the
 road allowance between Canada
 and the United States
 in the section of Dominion Land
 survey on the east by the centre
 of the road allowance on the
 49th correction line, being the
 road allowance between town
 ships 34 and 35 in the said
 section of Dominion Land survey,
 which is also the western limit
 of the Provincial District of
 Manitoba

Block No. 2.

bounded on the east by

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the centre of the road allowance between Ranges 5 and 6, west of the second Initial Meridian in the system of Dominion Land Survey, on the south by the International Boundary being the 49th parallel of North Latitude, on the west by the centre of the road allowance between Ranges 15 and 16 West of the 2nd Initial Meridian in the said system of Dom. Land Survey, on the north by the centre ^{of the} road allowance between Townships 34 and 35, in the said system of Dominion Land Survey which is also the northerly limit of the Provisional District of Assinibora.

Block 123.

Bounded on the east by the
centre

the center of the road allowance
between ranges 5 and 6, west of
the second initial meridian
in the system of Dominion Land
survey, on the south of the
International Boundary being
the 49th parallel of North latitude
on the west of the center of the
road allowance between ranges
15 and 16 west of the 2nd initial
meridian in the said system
of Dominion Land survey on the west
of the center road allowance
between Township 34 and 35 in
the said system of Dominion
Land survey which is also the
western limit of the Provincial
District of Saskatchewan.

Block No. 3.

Center bounded on the east by the

973

centre of the road allowance between Ranges 15 and 16 West 2nd Initial Meridian in the system of Dominion Land surveys; on the south by the International Boundary being the 49th parallel of North Latitude, on the west by the centre of the road allowance between Ranges 10 and 11 West 4th Initial Meridian in the said system of Dominion Land surveys. On the north by the centre of the road allowance between Townships 34 and 35 in the said system of Dominion Land surveys, which is also the northerly limit of the Provisional District of Assiniboia.

Note First.

If it be decided to place
parcels

center of the road allowance
between Camps 10 and 11 West 2nd
initial position in the system
of Dominion Land Survey; on the
south of the International
boundary being the 4th parallel
of North latitude, on the west
of the center of the road al-
lowance between Camps 10 and
11 West 4th initial position in
the said system of Dominion
Land Survey. On the east of
the center of the road allowance
between Camps 10 and 11 in
the said system of Dominion
Land Survey, which is also the
western limit of the Provincial
District of Assiniboia.

State Trial.

It is decided to place
panels

parcels one and two into one, then give description for westerly boundary of No 1 the same as in the foregoing, for westerly boundary of No 2.

Note Second.

The Provisional District of Assiniboia like the others in the North West were created by Order in Council May 1882, Assiniboia is described as follows. "The District of Assiniboia about 45,000 square miles in extent, to be bounded, on the south by the International Boundary line the 49th parallel; on the east by the western Boundary of Manitoba, on the north by the 49th correction line of the Dominion Lands System of survey into
Townships

parcels one and two into one, then
 give description for western
 boundary of No. 1 the same as in
 the foregoing, for western bound-
 ary of No. 2.

State Record.

The Provincial District of As-
 simiboia like the others in the
 North West was created by Order
 in Council May 1882, Assiniboia
 is described as follows. "The
 District of Assiniboia about 1000
 square miles in extent, to be
 bounded, on the south by the
 International Boundary line
 that is parallel; on the east by
 the western Boundary of Man-
 itoba, on the north by the 49th
 latitude line of the Dominion
 and the system of survey into
 townships

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Townships which is near to the
"52nd parallel of Latitude, on the
"West by the line dividing the
"10th and 11th Ranges of Townships
"numbered from the Fourth Initial
"Meridian of the Dominion Lands
"System aforesaid."

In my description I have
been a little more precise and
taken both for the northerly
easterly and westerly boundaries
the centres of the road allow-
ances. On reference to 44 Vic-
Cap. 14, an Act for extending the
limits of the Boundaries of
Manitoba, it will be noticed
that the westerly limit of
Manitoba is the centre of the
Road Allowance between Ranges
29 and 30 West First Principal
Meridian

878

Township which is near to the
 "22nd parallel of latitude, on the
 west by the line dividing the
 "10th and 11th ranges of townships
 numbered from the South Indian
 "Division of the Dominion Lands
 system of record."

In my description I have
 been a little more precise and
 taken both for the boundary
 between the two townships
 the center of the road above
 named. In reference to the
 Cop. 14, on Oct. for extending the
 limits of the boundaries of
 townships, it will be noticed
 that the western limit of
 township is the center of the
 road between ranges
 22 and 30 West - Principal
Division

973

Meridian. The northerly limit is also the centre of the road allowance, on the twelfth base, the line between Townships 44 and 45. It would perhaps be advisable if the Boundaries between the various Districts in the North West Territories should also be the centres of the road allowance, therefore in this description that line has been adopted.

If however it be deemed advisable to alter the wording of the Order in Council creating these Districts, from the foregoing copy thereof it will be easy to do so.

Respectfully submitted

W. Pearce

Revision. The northern limit is
 also the centre of the road at
 Lawrence, on the tenth base the
 line between townships 44 and 45.
 It would perhaps be advisable if
 the boundaries between the
 various districts in the north
 West territories should also be the
 centre of the road elsewhere,
 therefore in this description that
 line has been adopted.

If Lawrence is deemed advisable
 to follow the working of the section
 Council meeting this district
 from the foregoing copy thereof
 it will be easy to do so.

Respectfully submitted

W. Lawrence

938

Ottawa 7th April, 1886.

My dear Sir,

I enclose herewith a file of your Office 53241 having reference to lots 339-340-341 and 342 St. Algate with memorandum of all evidence thereon that I could obtain.

I think you will agree with me that so far as 339 and 341 are concerned the Government would not be justified in attempting to set aside the patent for either.

As

H. H. Smith Esq,
Com. Dom. Lands,
Winnipeg,
Manitoba.

238

Ottawa 7th April 1886

My dear Sir,
I enclose herewith a file
of your office 232 & 1. Having refer-
ence to lots 232-240-241 and 242
the. Copies with memorandum
of all evidence thereon that I
could obtain.
I think you will agree
with me that so far as 232 and
241 are concerned the Government
would not be justified in at-
tempting to set aside the patent
for either.

Wm. Smith Esq.
Com. Gen. Canada
Winnipeg.
Manitoba.

CS

470

As to lots 338 and 340 were
 it not for the pencil memorandum
 shown made by Mr. J. W. Smith which
 is noted in memorandum the
 evidence would appear perfectly
 regular and such as would
 justify the issue of patent to
 at least one of these lots. I think
 in this and the other cases
 those on the west and those on
 the east side of the river, if not
 not under the Monmouth Act
 had only been granted to one
 lot, not two. They would have
 been treated sufficiently liber-
 ally, but there have been treat-
 ed no more liberally than
 many others and on account
 of

As to lots 338 and 340 were
it not for the pencil memoran-
dum made by Mr Laing which
is noted in memorandum the
evidence would appear perfectly
regular and such as would
justify the issue of patent to
at least one of these lots. I think
in this and the other case
those on the West and those on
the East side of the river, if pat-
ent under the Manitoba Act
had only been granted to one
lot, not two, they would have
been treated sufficiently liber-
ally, but these have been treat-
ed no more liberally than
many others and on account
— of

of extra liberality I do not think
an attempt should be made to
set aside the patent. You will
notice that Kennedy obtained
patent to the lots on ^{said side of} said River
through purchase of all claim
originally owned by one Cyr.
I can quite understand that
Cyr's claim may not have been
here at all, and ~~how~~ with the
memorandum of Mr. Laing re-
ferred to, Patent issued, I am at
a loss to understand. I think
that ~~it~~ would be advisable to ob-
tain evidence as to the exact lo-
cation of Cyr's claim, also the
amount of improvements and
residence he performed prior to
the

of extra liberality I do not think
 an attempt should be made to
 let aside the patent. You will
 notice that Kennedy obtained
 patent to the late on said paper
 through purchase of all claim
 originally covered by one Cyp.
 I am quite understood that
 Cyp's claim may not have been
 there at all, and was with the
 memorandum of Mr. Jones re-
 ferred to. Patent issued, I am at
 a loss to understand. I think
 that would be advisable to ob-
 tain evidence as to the exact na-
 ture of Cyp's claim, also the
 amount of improvements and
 evidence performed prior to
 the

878

The transfer on said claim
 state his residence was perform
 ed, that being obtained with the
 information contained in this
 memorandum you will be able
 to determine whether any fur-
 ther steps should be taken to
 would setting aside the patent.
 As to lot 342 was claimed
 by Adam Klyne, I am decidedly
 of opinion from John's certi-
 ficate that he has no claim
 there under the Memoranda
 Act, his claim has been reg-
 istered under the Memoranda Act
 to 20 claims by about two miles
 in depth, deep in line of bay
and

the transfer on said claim, date his residence was performed, that being obtained with the information contained in this memorandum you will be able to determine whether any further steps should be taken towards setting aside the Patent.

As to lot 342 now claimed by Adam Klyne, I am decidedly of the opinion from Sabine's certificate that he has no claim thereto under the Manitoba Act, his claim has been recognized under the Manitoba Act to 20 chains by about two miles in depth. scrip in lieu of hay
and

974

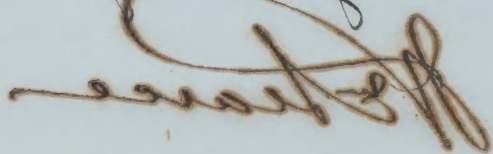
and common rights has also
issued which is exceedingly
liberal treatment.

Yours very truly,

W. H. Hance

and common rights has also
 issued a risk is exceedingly
 liberal treatment.

Yours very truly,



939

Itasca, 8th April, 1886.

My dear Doctor,

I received yesterday morning all the papers, formally before me in reference to George and Mariott Wilson's application for Homestead patents, with the comments made by the claimants on my memorandum of facts elicited from the evidence before me.

As I expect to have an interview

H. E. Wilson, M. P.,
House of Commons,
Itasca.

572

2.

-dimmed at this occasion
 words? perhaps were several
 -not did not accept of each but
 which was almost noticeable
 was at least as much

perhaps were several



interview with the Commissioner very shortly, I shall hold these papers for his consideration unless you desire them to be returned to you.

Yours very truly,

Wm. L. Garrison

940

54974.

7th April 6.

Sir,

I have the honor to acknowledge the receipt of yours of the 1st April. having reference to the application of Mrs Jane Mc Gregor for certain lots in Battleford, and in reply to state that Mrs Mc Gregor has been misinformed in reference to the statement that a free lot has been given to other settlers who had \$250⁰⁰ worth of improvements. This has been granted in the case of those who were bona fide settlers on the town plot, prior to the Government survey thereof, and who claimed lots through their own actions. This does not apply to Mrs Mc Gregor's case

H. H. Smith, Esq.,
Commissioner of
Dominion Lands,
Winnipeg,
Manitoba.

440

1st April

24974

Dear

I have the honor to acknowledge the receipt of yours of the 1st April. Having reference to the application of Mrs. Jones for a grant of a certain lot in Bathurst, and in reply to that that Mrs. Jones has been well informed in reference to the statement that a fee lot has been given to other letters who have been worth of reference - and this has been granted in the case of those who were given the letters on the town plot prior to the Government survey thereof, and who claimed lots through their own actions. This does not apply to Mrs. Jones's case

A. A. Smith, Esq.,
Commissioner of
Domestic Affairs,
Washington,
D.C.

278

case, his claim is based
 through the claim of
 one Mr. Donald as the pur-
 chase of lots claimed
 by Mr. Donald.

Mr. McDonald's claim
 has been satisfied, for
 charges and residents
 on the town plot of
 Battledore who obtained
 land from Mr. Donald
 must look to him, in
 fact very little responsibility
 can be extended to them
 for their action in the
 matter as they completely
 ignored the Government
 survey and made their
 improvements according
 to a private survey.
 That they were misled
 themselves by their own
 doing on the stock is
 their misfortune, not
 the fault of the Govern-
 ment.

However in Mr. McDonald's
 case the improvements
made

case, his claim is based through the claim of one McDonald as the purchaser of lots claimed by McDonald.

Mr McDonalds claim has been satisfied, purchasers and residents on the town plot of Battleford who obtained land from Mr McDonald must look to him, in fact very little sympathy can be extended to them for their action in the matter as they completely ignored the Government survey and made their improvements according to a private survey.

That they now find themselves by their own doing on the streets is their misfortune, not the fault of the Government.

However in Mr McGregors case the improvements made

made by her being superior
I would recommend she
be granted two lots at one
half the upset-price.
any more she may wish
to purchase she can do
at ordinary rates which
are very reasonable.

If this meets with
your approval please in-
struct agent accordingly.

I have the honor to be,
Sir,

Your obedient servant,

made by her being superior
I would recommend the
be granted two lots of one
half the upset price.
and over the way with
to purchase the can do
at ordinary rates which
are very reasonable.

If this meets with
your approval please in-
struct agent accordingly.
I have the honor to be,

Yours obedient servant,
J. W.

Ottawa 8th April, 1886.

12 M. A. 553.

Memorandum.

In reference to this Road allowance matter I find on looking up the file the following resolutions:-

"Municipality of Portage la Prairie, Portage la Prairie 12th March 1886.

"Moved by J. H. Metcalfe, second-
ed by W. F. Smith.

"That the communication from the Dominion Government to our solicitor re. alteration of section line between sections 11 and 12, Tp. 13, R. 8, West, be answered intimating that as the parties who hold land in that district
object-

suburban

Traveler H. J. Wood
and W. E. Smith

triples

object to the section line
being closed as it would
put them to the trouble
of two miles extra travel
in the round trip. That
we cannot consent to the
alteration of the Road as
proposed because it would
permanently close the
section line now laid down
on the map as a Road
allowance.

I hereby certify that the
above was carried in Coun-
cil on the 11th day of March
1886.

(sgd) J. W. Jackson.
Sec. Treas.

This Township has been
surveyed many years and
this road at law has I
think long since been
established

object to the section line
being placed as it would
put them to the trouble
of two miles extra travel
in the round trip. That
we cannot consent to the
alteration of the road as
proposed because it would
permanently close the
section line road and
on the map as a road
closure.

I hereby certify that the
above was carried in con-
formity with the 11th day of March
1880.

W. J. Jackson (per)
Sec. Treas.

This township has been
surveyed many years and
this road at that time
was laid out since then
unmodified

977

established. If the Council wished the substitution the Government would be justified in making it; but as it is, probably it had better be left to that body and Kitson to fight out between themselves.

It is true Kitson may have had considerable grounds of complaint owing to delay in settling this; but the same might have been settled long ago had Kitson, Lissone and others furnished the evidence which the Government was at last required to obtain and which cost about \$105⁰⁰. *to him for²*

In May 1882 an Order in Council was passed granting Kitson the right to select 320 acres of vacant Dominion

established. If the Council
wished the substitution
the Government would be
justified in making it.
But as it is probable it
had better be left to that
body and their to fight
out between themselves.

It is true that we may
have had considerable
amount of complaint
owing to delay in getting
this; but the same might
have been uttered to propose
that this measure and
others furnished the in-
crease which the Government
was at last required to
obtain and which cost
about \$105,000. *for the*

In May 1882 our Order
in Council was passed
granting them the right
to select as well as vacant
positions.

977

Dominion Lands. He selected that area in the Gladstone District but through mistake of agent this authority was not taken from Kitson.

Subsequently Judge Ryan on same authority selected 320 acres near or on the Iron site of Regina but that was not allowed. He then applied for lot 35 B. out of Two miles Parish of St. John as a portion of this 320, this was granted, contained 140 acres and at date he obtained it was worth probably \$50 per acre, certainly \$25⁰⁰. After Patent had issued for said 140 acres it was discovered he had made the location in Gladstone Agency and of course the first selection was cancelled.

J

American Land. The selected
 tract was in the Blackstone
 District but through mistake
 of copy this authority
 was not taken from them.
 Subsequently judgment
 on some authority selected
 as was seen on the two
 side of Virginia but that
 was not allowed. The then
 applied for lot 30.3. 30.11
 two miles north of it from
 as a portion of this 30.3, this
 was granted, contained
 140 acres and at date he
 obtained it was worth
 probably \$20 per acre, etc.
 10. After Patent
 had issued for said 140
 acres it was discovered he
 had made the location
 in Blackstone County and
 of course the first location
 was cancelled.

I mention this to shew that
Kitson has been taking
everything into consideration
liberally treated. It maybe
that he did not profit
much by same, but that
is wholly Kitson's fault.

Respectfully submitted.

J. H. Haver

I mention this to show that
 nothing has been taking
 everything into consideration
 especially treated. It may be
 that the bird is not really
 much of a song but that
 is what I think is the fault.

Respectfully submitted

-1689

978

942 947
8th April, 1886

Sir,
I have the honour
to acknowledge the
receipt of yours of the
30th ultimo, Ref. ¹³²⁸ 1689
No 1485 re. app^{ts} by
James Smith of
Silverton for Mining
locations near Silver
City, and in reply
to state that from his
description it would
appear not to inter-
fere with any others
of which there is
record in the Head
Office, and particular-
ly does it appear to
be clear of any lands
claimed by the
Albion Mining Co. As
however, Mr. Smith's
application is not
consistent with itself,
as he states it is
ten miles South West
of Silverton and five
miles South of Bow
River, as the general
course

8th April, 1888

-1689

River, at the general
 mile south of
 of Liberton and five
 ten miles south west
 case state it is
 consistent with itself
 Application is not
 however, Mr Smith's
 Alberta Mining Co. Co
 claimed by the
 be clear of any land
 by does it appear to
 office, and part of the
 road in the head
 of which there is
 free with any other
 appear not to inter-
 description it would
 to state that from his
 City and in reply
 location near the
 Liberton for Mining
 former Smith of
 No 1482 v. O'Leary
 20th March, 1888
 receipt of your of the
 to acknowledge the
 Mr. O'Leary the reason

978

Course of the Bow River
 in this locality is about
 from North West to South
 East, if his location
 is ten miles South
 West of Silver City
 the nearest point
 of the Bow River
 would be in the
 neighborhood of
 Silver City such a
 point 10 miles
 South West of
 Silouton would be
 therefore much more
 than ten miles due
 South from Bow
 River, under these
 circumstances it
 would appear that
 Mr. Smith is not
 precise enough
 in locating his claim
 or probably has
 not observed the
 correct bearings and
 distances that his
 claim is from
 Silver City, You will
 therefore in granting
 him receipt ~~and~~
 add the following

course of the Bow River
 in this locality is about
 from North West to South
 East of his location
 is ten miles South
 West of Silver City
 the nearest point
 of the Bow River
 would be in the
 neighborhood of
 Silver City such a
 point is miles
 South West of
 Silver City would be
 therefore much more
 than ten miles due
 South from Bow
 River, but these
 circumstances it
 would appear that
 Mr Smith is not
 precise enough
 in locating his claim
 or probably has
 not observed the
 correct bearings and
 distances that his
 claim is from
 Silver City. For well
 therefore granting
 him receipt and
 add the following

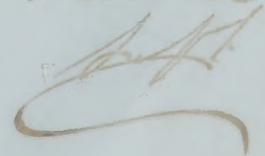
978

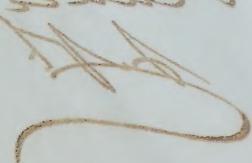
words. "It being distinctly understood that should any portion of these locations interfere with Claims of others already staked out and applied for all claim to the same on behalf of the applicant to be null and void."

This will I think sufficiently protect the Department and at the same time give Mr. Smith what he asks.

I return you file in this case and when your return this mining Location entry to the Head Office please enclose a copy of this letter there with.

I have the honour to be,
Sir,
Your obedient servant,
Wm. Pearce.



words - "It being
 distinctly understood
 that should any
 portion of these locations
 interfere with claims
 of others already
 staked out and
 applied for all
 claims to the same
 on behalf of the
 applicant to be null
 and void."
 This will I think
 sufficiently protect
 the Department and
 at the same time
 give Mr Smith what
 he asks.
 I return your file
 with this case and
 when your return
 this morning location
 entry to the head
 Office there
 enclose a copy of
 this letter there
 with.
 Have the transcripts
 in
 Your obedient servant,
 Wm. C. Brown


943

979

Ottawa, 9th April, 1886.

My dear Father Lacombe,

I have had a translation made of the letter from the Rev. Father Leduc to you, dated the 21st ultimo, concerning the dispute between Walter and Gammeau, and in reply thereto I would desire to make a few observations.

The Rev. Father seems to base his Gammeau's claim generally on the ground that a person settling in advance of survey is entitled by law

Rev. Father Lacombe, O.M.I.

To

473

Letter, 1880, April 1880

My dear Father, I have had a translation made of the letter from the Penitential to you, dated the 21st ultimo, concerning the dispute between Walter and Thomas, and in reply that I would desire to make a few observations.

The Penitential seems to have his grounds, claim for, really on the ground that a person suffering in conscience of sin is entitled by law to

Penitential Sacrament, etc.

ere

to a far. emphasis. In setting
 these cases officials would be
 guided by the law, which
 is that each letter must be
 attached to the other. The
 law states that the purpose
 is admitted to 100 cases if not
 be available, leaving to his
 neighbors at least 100 cases
 there was no opinion but to
 part from that. It is
 while at the same time for
 testing his neighbors to the
 extent of any improvement
 they might have had on the
 land so granted him.

Section

to a pre-emption. In settling these cases officials must be guided by the law, which is that each settler must be protected to the extent the law allows him. Therefore if the law states that Walter is entitled to 160 acres, if such be available, leaving to his neighbors at least 160 acres, there was no option but to grant him that acreage while at the same time protecting his neighbors to the extent of any improvements they might have had on the land so granted him.

Section

970

Section 27 of 46th Vic^t, Cap 17 is
as follows:-

Entry for 27. Any person, male or female,
homestead who is the sole head of a fam-
rights area ily, or any male who has
limited. attained the age of eighteen
years, shall, on making ap-
plication in the form A in
the schedule to this Act, be
entitled to obtain homestead
entry for any quantity of
land not exceeding one quarter
section, and being of the class
of land open under the pro-
visions of this Act to homestead
entry.

From this you will observe
that

Section 27 of the Act, Cap 11 is
as follows:-

27. Any person, male or female,
who is the sole head of a family,
if, or any male who has
obtained the age of eighteen
years, shall, on reaching up-
lication in the form A in
the schedule to this Act, be
entitled to obtain possession
of any quantity of
land not exceeding one quarter
section, and being of the class
of land open under the pro-
visions of this Act to be
entitled to, from this year well observed
that

ere

that the area of a horizontal
is limited to one quarter section
100 acres.

Subsection 2 of said section
of state that at the date the
horizontal entry is effected
the horizontal is entitled
to a pre-emption entry for
one adjoining unoccupied
quarter section, or part of
quarter section, of said land.
From this you will see that
supposed, or better has no right
to a pre-emption entry in
horizontal can be entered
and such entry is effected
section 30 of that act with
its subsections and I provide
for

that the area of a homestead is limited to one quarter section, 160 acres.

Subsection 2 of said section 27 states that at the date the homestead entry is effected the homesteader is entitled to a pre-emption entry for an adjoining unoccupied quarter section, or part of quarter section, of said class. From this you will see that legally, a settler has no right to a pre-emption until a homestead can be entered and such entry is effected.

Section 30 of that Act with its subsections 2 and 3 provides
for.

979

for cases in dispute.

It is true that Deane gave Walter only about 120 acres. The latter however in his affidavit states that he protested to Deane against being so cramped, and Deane's reply was that he need not give him anything at all unless he saw fit as he, Walter, was not a settler.

When Walter called upon me to give evidence in regard to his claim he stated that as a settler in advance of survey he was entitled to be protected to the extent of 160 acres; and I failed to see how

for cases in dispute.
 It is true that these four
 letters only about 120 cases:
 the latter however in his of-
 ficially states that he pro-
 ceeded to leave a general being
 so cramped, and leaves only
 was that he read not previous
 anything at all unless he saw
 fit as to the latter, was not a
 letter.

When Walter called upon
 me to give evidence in regard
 to his claim he stated that
 as a letter in evidence of
 money he was entitled to be
 granted to the extent of 100
 cases; and I failed to see
 and

678

have as the law stands such a
 request could be refused if the
 land was available leaving
 his neighbors on each side
 land to the extent of at least
 100 acres and at the same time
 not materially interfering with
 their improvements. In this
 case so far as the improvement
 are concerned the Russian pro-
 perty has been protected by
 granting them the land
 covered by their buildings
 and part of some other
 improvements have been taken
 from him in granting a
 portion of his claim to the
 government and his neighbors

as

how as the law stands such a request could be refused, if the land were available leaving his neighbors on each side land to the extent of at least 160 acres and at the same time not materially interfering with their improvements. In this case so far as the improvements are concerned the Mission property has been protected by granting them the land covered by their buildings, and none of Samsce's improvements have been taken from him in granting a portion of his claim to Walter.

To prevent any misunderstanding

as

7.

as to what was in my mind in coming to a recommendation in this case, the Agent at Edmonton was furnished with a full copy of my report with instructions to show it to any person interested and I hope Father Leduc has seen it and am sorry that he fails to come to the same conclusion I did.

From the evidence furnished under oath by Walter and Garneau it would appear that the latter commenced his residence in 1876; Walter in July following. Walter up to the date of my investigation

I

as to what was in my mind
in coming to a resolution
in this case, the report of
the doctor was furnished
with a full copy of my report
with instructions to show it
to my person interested and
to report there has been
it and on my part that he
fails to come to the same
conclusion I did.

From the evidence furnished
under oath by Walter and
Gordon it would appear
that the latter commenced
his residence in 1870; Walter
in July following. Walter
up to the date of my
investigation

272

investigation in July 1881, had
 resided constantly on his
 lot, depending for about one
 year: therefore, so far as
 his priority of occupation is
 concerned, Gorman has not
 a very strong claim. Further,
 he is treated more liberally
 as regards area than others
 to the extent of about 20 acres.
 The Rev. Father says that
 better survey papers and
 claims, I cannot say whether
 he ever did so to the Rev. Father
 or to Gorman, but he certainly
 did to me, and I think the
 propriety of his relinquish-
 ing the claim of the Gorman
 settlement.

investigation in July 1884, had resided constantly on his lot excepting for about one year: therefore, so far as his priority of occupation is concerned, Garneau has not a very strong claim. Further, he is treated more liberally as regards area than Walter to the extent of about 80 acres.

The Rev. Father says that Walter never preferred any claim, I cannot say whether he ever did so to the Rev. Father or to Garneau, but he certainly did to me, and I think the majority of his neighbors, residents of the Edmonton settlement.

979

9.

settlement will state that he considered he had been unjustly treated in having his claim confined to 120 acres, I can only say that that was what many said to me; Walter stated he claimed 160 acres.

The misunderstanding between Father Leduc and myself with reference to the balance of the purchase money due by the Corporation to Gagneau, is not material to the point at issue. It was only raised by me to show that so far as my money served me at the time my report was made the Corporation ran no risk financially
in

settlement will state that he
 considered he had been unjustly
 treated in having his claim
 confined to 10 acres, & can only
 say that that was what
 many said to me; Walter stated
 he claimed 100 acres.

The misunderstanding between
 father & son was myself with
 reference to the balance of the
 purchase money due on the
 corporation to Government, is not
 material to the point at issue
 it was only raised by me to
 show that so far as my money
 was concerned at the time my
 report was made the Corporation
 ran so well financially

in

279

in the matter.
 The Rev. Father also states that
 the Land Board in addition
 to making his Church pay \$2
 per acre for the land, also
 required the household and
 pre-emption fees from them.
 These fees are not required from
 the Church, it is immaterial
 to the Government who pays
 them; but of this lot of Government
 land 100 acres are patented as a home-
 stead, the balance as a pre-
 emption and the fees are re-
 quired in all such cases.
 However, he states, should
 have got his homestead fee;
 he is now getting it free, or
free

in the matter.

The Rev. Father also states that the Land Board in addition to making his Church pay \$1.00 per acre for the land, also required the homestead and pre-emption fees from them. Those fees are not required from the Church, it is immaterial to the Government who pays them; but of this lot of Garneau's 100 acres are granted as a homestead, the balance as a pre-emption and the fees are required in all such cases.

Garneau, he states, should have got his homestead free; he is now getting it free, a free

11.

free homestead includes the payment of a \$10⁰⁰ entrance fee. He further states that he should have got his pre-emption at \$1⁰⁰ per acre, he is now getting it at that price, but pre-emption also require a \$10⁰⁰ fee.

What I stated in my letter to Father Leduc was that on payment of \$97. made up as follows, patent would issue:

<i>for the whole of Garneau's claim</i>	
Excess over 160 acres at \$1 ⁵⁰	\$75.00
2 acres of Walter's lot	2.00
Homestead & pre-emption fee	<u>20.00</u>
	<u>\$ 97.00</u>

The Rev. Father can arrange for the payment of this sum between himself and Garneau.

I was rather pained that
Father.

etc

Father I have shared your
 account of partiality on
 account of nationality, and
 I think, on reflection, if he
 will read my report, he will
 conclude that I am not
 too hastily arrived at
 least I think that will be his
 latest opinion on records.
 view of the matter. I mean
 and myself are both natives
 of the Province of Ontario.
 the Government has not
 to favor Walter at Government
 expense, but only to see that
 justice be done between the
 parties. In all disputes we
 are of the parties
respectfully

Father Leduc should have
accused me of partiality on
account of nationality, and
I think, on reflection, if he
will read my report, he will
conclude that ~~the~~ conclusion
was ~~hastily~~ arrived at: at
least I trust that will be his
honest opinion on reconside-
ration of the matter. Gambeau
and myself are both natives
of the Province of Ontario.

The Government does not wish
to favor Walter at Gambeau's
expense, but only to see that
justice be done between the
parties. In all disputes one
or other of the parties
frequently

frequently both, consider themselves unjustly dealt by. It is unfortunate that in this case the dispute should have arisen between a French Canadian and a Scotchman.

If the Minister wished that the whole matter should be reviewed by another official of his Department, or any one else whom he may name that would be agreeable to Rev. Father Sedus, I would be only too glad that he should do so, that however is a matter for him to consider, should you make such a request?

Believe me
very truly yours.

W. Lawrence

freely and both consider them
 as being equally decided. It is
 unfortunate that in this case
 the bishop should have been
 between a French Canadian
 and a Scotchman.

of the Minister wishes that
 the whole matter should be
 reviewed by another official
 of his Department, or any one
 else whom he may name
 that would be acceptable to
 our Father. I would be
 very glad that he should be
 so, that there is a matter for
 him to consider, should you
 make such a request.

Believe me
 very truly yours

James

980

Ottawa,
Oct. 24th. 1886.

C. Greenwater Esq.
Secretary, C. P. Ry. Co.
Montreal.

Sir:

I have the honor to write to
report on my analysis of the
samples of Mineral water, from
the Sulphurous Springs near the
Banff Station, on the Canadian
Pacific Railway in the Rocky
Mountains, which you have sent
me for that purpose.

I received first
two wine bottles of the water
one labelled "Water from the
Hottest Sulphur Spring, Banff."
June 18th 1886 Temperature

100.

Albany,
Oct. 24. 1844.

Wm. Brewster Esq.
New York, C. T. P. O.
New York.

Sir:

I have the honor to acknowledge the receipt of your very interesting and valuable paper, and to thank you for the trouble and expense which you have incurred in its preparation. I have the honor to acknowledge the receipt of your very interesting and valuable paper, and to thank you for the trouble and expense which you have incurred in its preparation.

I have the honor to acknowledge the receipt of your very interesting and valuable paper, and to thank you for the trouble and expense which you have incurred in its preparation. I have the honor to acknowledge the receipt of your very interesting and valuable paper, and to thank you for the trouble and expense which you have incurred in its preparation.

110 degrees when coming from the
 rock. The other water from the
 Spring in the cave at the lower or
 cooler spring. Subsequently I
 received from you two large
 Desiccators labelled respectively
 "No. 1" and "No. 2" Mineral water,
 and of which you informed me,
 under date 22nd October last; "Jar
 No. 1" is filled with water from the
 hot Spring (two miles from the cave)
 called the upper or hotter spring.
 The temperature when it was
 filled was 113 degrees. The other
 Jar "No. 2" is filled with water from
 the lower spring in the cave. Tempera-
 -ture 87 degrees.

I have made my analysis
 under the numbers and 2 which
 refer to the description above-
 given.

We have seen some writing from the
 back of the other - which from the
 opening in the cover of the drum
 could spring - independently of
 several other things in this paper
 Description labelled in pencil
 No. 1 and No. 2 of mineral water
 and of which you informed me.
 under date of 22nd of White Hall, for
 Mr. W. filled with water from the
 hot spring (his water from the cover
 called the spring as better spring.
 The description under of water
 filled was as before the other
 for No. 2. a filled with water from
 the same spring in the cover. Description
 - line of spring
 There was my small in
 under the same conditions which
 after of the description as before
 given

quinn.
"No. 1"

When the samples, both in the main bottle and large jar, were opened, the water was perfectly clear and colorless, that in the main bottle having a considerable dark deposit of organic remains, and a slight sulphurous odour, which rapidly passed off on exposure and arose in all probability from a slight reducing action of this organic matter upon the alkaline sulphates. For the water in the large jar was entirely free from any sulphurous odour, and had but the faintest trace of organic deposit or even any gaseous emanations observed when it was

Ms. 7

When the country is
the more with and large
one of them, the more we
clear and certain, that in
our little being a considerable
and of course of our means
and a slight assistance
which which rapidly passed off
we require and more in all
particulars from a slight
action of this organ over the
upper the whole system
for the work in the large
even which the same
assistance which, and had
the partial loss of organs
of part we are not aware
in our view of nature of

was boiled.

A preliminary examination proved the presence of sulphuric and carbonic acids. Lime.

Magnesia, soda with traces of silica and organic matter; and the absence of sulphur, for it combined with Hydrogen, Chlorine, Metallic Salt and Potash. Lithia was also sought for but without success.

The complete analysis of the waters gave the following results, expressed in parts per 1000 of water.

Sulphuric chloride	37.26
Calcium carbonate	24.48
Soda	14.47
Magnesium oxide	4.14
Sodium oxide (calculated)	27.83
Silica	traces
	<u>organic</u>

over which

of preliminary communication
formed the purpose of establishing
and various localities. This
may be done with view of
these and various matters;
and the object of establishing
the connection with the
Albanian, Italian, and
Greek. This was the object
for the present purpose.

The complete map of the
world gives the following results
referred to for the purpose of
Albanian, Italian, and
Greek. This was the object
for the present purpose.

Latin Church
Magnum
Latin Church (Catholic) 21. 22
Latin Church
Magnum
Latin Church (Catholic) 21. 22
Latin Church

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organic matter

Grains

123.88

Total solids per 100,000 found

by actual experiment

122.35Calculated as existing in the
water as:

Calcium Sulfate

56.83

Magnesium Sulfate

12.89

Calcium Carbonate

3.29

Sodium Sulfate

15.60

Sodium Carbonate

35.73

Silica

Grains

organic matter

Grains

123.86

No. 2:

The water of the cooler spring
in the case of which Dr. Lynch
of Winnipeg remarks "The
volume of the water is much
greater than the hotter or
worse

regime malle

hine

123. 12

that will be no. 100 found

of which is 123. 12

calculated as existing in the

water is

Calvin's Capital

12. 12

Proposed Capital

12. 12

Calvin's Capital

12. 12

Calvin's Capital

12. 12

Calvin's Capital

12. 12

Alia

hine

regime malle

hine

123. 12

12. 12

The water of the river is
in the case of which is 12. 12
of which is 12. 12
of which is 12. 12
of which is 12. 12
of which is 12. 12

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upper spring and though of a lower temperature, it is undoubtedly from the same source, but rendered cooler by the admixture of fresh water. The spring is in a cave some forty feet below the surface of the mountain of a conical shape, the walls incrustated with "acid crystals" in clumps to a depth of several inches. The water stands about five feet deep on the floor of the cave rising and bubbling up through a bed of black sand of unknown depth with a force sufficient to keep a man's arms sinking.

The same authority also states there is a uniform temperature of about 90 degrees between the water

of the opening and through of a
 from the surface of the mountain
 only from the same source, but
 reached the surface of the mountain
 of fresh water. The opening
 is on the same level as the
 below the surface of the mountain
 of a conical shape, the walls
 mounted with "wooden" in
 which is a sight of wood
 which. The water stands about
 five feet deep on the floor of the
 one opening and bubbling up
 through a bed of black sand
 of unknown depth with a few
 sufficient to lift a man - sometimes
 from within.

The same naturally, the
 state that is a mountain the mountain
 of about 2000 feet in height the

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water and the atmosphere within the cave.

When opened both samples of this water emitted a powerful odor of sulphuretted Hydrogen gas, and the quantity was immediately determined both of that in the wine bottle and in the larger jar. In the former was found 4.154 parts Hydrogen Sulphide to the 100.000 and in the latter 7.43; a difference probably due to the fact that the smaller bottle would be corked in the cave, and would hold the air on its side thus keeping the cork constantly beneath the water, while the larger bottle would probably not be corked until it left the cave and from its nature

water and the atmosphere within

the case.

When placed in the atmosphere of
 the water, a powerful
 action of sulphurated hydrogen
 gas and the quantity was minute.
 It is determined that of that
 in the air, little and in the
 large gas. In the former case
 placed 100 parts of hydrogen
 sulphide to the 1000 and in the
 latter 1000; a difference probably
 due to the fact that the smaller
 bottle would be cooled in the
 case, and would have been
 in it, and thus keeping the water
 constantly beneath the water.
 While the larger bottle would
 probably not be cooled much at
 all. The case was from it.

conclusion

980 nature would hard with the cork upfurmost and unprotected by the water, so that the gas would escape.

A preliminary examination of the water proved it to contain sulphur in combination with Hydrogen, Sulphuric and Carbonic Acids, Lime, Magnesia, and soda, with traces of Silica and organic matter; and the absence of Chlorine, metallic salts and Potash; Lithium was also sought but not found.

The complete analysis of the water gave the following results in parts per 100,000.

Sulphuric Hydrogide	46.79
Carbonic monoxide	27.93
Carbon Dioxide	11.44

Magnesium

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Magnesium oxide	2.98
Sodium oxide (calculated)	13.61
Silica	trace
organic matter	trace
Hydrogen Sulphide	795
	102.445

Total solids per 100.00 found
by actual experiment 102.10

Calculated as existing in the water as:

Sodium Sulphate	37.45
Magnesium Sulphate	8.73
Sodium Sulphate	10.00
Sodium Carbonate	12.03
Sodium Bicarbonate	19.37
Hydrogen Sulphate	795
Silica	trace
organic matter	trace
	102.463

From

083

Madame de M...

2. 2. 2.

Chlorine water (see below)

wild

will

will

Thomas: 1810

Phyllis Webb

1841

That will be very much

of which the following is a list

which we carried in the water was

144

Chloroceryle alpestris

Woodman's Place

20-01

Albion

20. 21.

Amorpha canescens

18-19

Robert Bechler

227

Hydrogen Sulphate

100



1851

of some matter

102. 114

James

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From Dr. Lynch's observations who describes the water as "bubbling" up through the sandy floor of the cave it is to be inferred that a considerable quantity of gas accompanies its ascension from its source, but of what character this gaseous material may be there is no evidence beyond the small proportion of Hydrogen sulphide retained in solution. There is probably carbonic dioxide and Nitrogen mixed, and these may constitute a very important element in the medicinal value of the water, but can only be satisfactorily determined on the spot.

From a consideration of the relative composition of the two waters it is highly probable

Dr.

Dr. Lynch's conjecture is correct; and that both issue from the same source, and that the latter is cooled by co-mingling with fresh water, probably charged with calcium carbonate and carbon dioxide.

It would be a matter of the highest importance to obtain an accurate determination of the gaseous constituents as they emanate from the spring.

I have examined, but not submitted to a complete analysis, the sample of sand from the floor of the cave, through which the water bubbles, and also the crystalline incrustation of the walls, samples of which
you

Dr. Lynch is very kind in his
 act, and that his name
 the same name, and that the
 letter is, with a co-arranging
 with his name, but only
 changed with certain conditions
 and certain details.

It would be a matter
 of the highest importance to
 obtain an accurate estimate
 of the progress of the
 must on this subject from
 the spring.

These measures, but
 not submitted to a committee
 carefully, the example of such
 from the floor of the case, things
 which the name of the, and
 also the capital in circulation
 of the market, examples of which

980

you sent me, composed of
 colourless and transparent
 grains, intermixed with more
 or less coloured, mostly to
 opaque and black grains,
 also of Quartz; and it is to this
 that the black specks are due,
 and not to particles of carbon.
 (None of them is not a trace) as
 suggested by Sir Henry Tyler
 "indicating the water passing
 through coal."

The micromer from the
 cave walls consists principally of
 calcium sulphate, with a little
 silica, alumina and iron, but
 contains no free sulphur as sug-
 gested by the labelling of the sample.

I have the honor to be
 Sir,

Yours obedient servant.
 H. Augustus Ward, F.R.S. &c.

for such are composed of
 carbonates and have been
 growing, continued with some
 or less extent, mostly to
 of these and black grains
 also of limonite, and it is to this
 that the black spots are due,
 and not to particles of carbon.
 (But this is not a fact) as
 suggested by the theory of
 indicating the order of
 through each.

of the investigation from the
 case would result principally of
 calcium sulphate, with a little
 also, alumina and iron, but
 certainly no free sulphur as sug-
 gested by the melting of the sample.
 I have the honor to be

Yours

J. W. Smith, Esq.
 The Boston Iron Works, &c.

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945-

Ottawa, 9th April, 1886.

Memorandum on
the amendments to the
Mineral Act in British
Columbia now before the
Local House.

First; the right in any
dispute to be tried by a jury
of five persons is accorded.

Another is giving any
free miner the right to take
up a mineral claim fifteen
hundred feet by six hundred
and mineral claims are to
have all the provisions that
mining claims have. It
would appear that there is
a distinction between

mining

981

mining and mineral claims

Another is that by placing improvements on any location to the value of \$100⁰⁰ within three months from date of said location and furnishing the proof of said improvements to the gold Commissioner, that he will then issue a certificate enabling applicant to hold that claim for one year from date of location, this practically can be followed year after year. They also propose reducing the value of improvements to be made before issue of Patent from \$100⁰⁰ to \$500⁰⁰. The price of land from \$50⁰⁰ to \$25⁰⁰ and another proposed amendment is that the holders of two or more mineral claims on the

amiable lauriers bmo pminne
 muelst pe lort di rethom
 -aal jmo no dnmverpni
 2001 # jo eulle et al ni
 mof adnne eetti mitine
 bmo noitooal bmo jo et al
 bmo jo joard et al pndann
 lde p et al dnmverpni
 lliu et lort, re-re-dnmverpni
 illojillee a eulle met
 lort al dnmverpni pndann
 mof eep eep eep muel lort
 -eep eep, noitooal jo et al
 eep eep eep eep muel
 -eep eep eep eep eep
 jo eulle et al pndann eep
 eep eep al dnmverpni
 mof lort jo eulle eep
 jo eep et al . 2001 # al 2001 #
 bmo 2001 # al 2001 # mof bmo
 muel muel eep eep eep
 eep eep jo eep et al lort di
 no amiable lauriers eep
 et al

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the same lode, desiring to
waile for the purpose of pros-
ecting one of those claims,
the gold Commissioner may
at his discretion grant ex-
tension for the other mineral
claims for such time and
upon such conditions as he
may think fit, but the work
or money to be done or ex-
pended on the one claim
should not be applicable in
any manner to the claims
allowed to be laid over.

al pmiuialu, elu al amu al
 -eod je eodpud eti rof ilinu
 amu alu je mo pmiu al
 muu uouuauuouu btep eti
 -+e iluop uouuauu alu al
 uouu uouu eti rof uouu al
 bmo amu alu rof amu al
 et al amu alu alu uouu
 uouu eti alu, ilu alu muu
 -+e ro uou al al uouu ro
 muu alu alu alu alu
 alu alu alu alu alu alu
 amu alu al uouu muu
 alu alu al al uouu

Mr DouglasFile 80480 No 2.

Send copy of Warden's letter dated 7th February to the Commissioner and tell him that this has been submitted to Mr Pearce, and that he suggests a copy of this be sent the Agent with instructions to take evidence for Mr Warden in the form of a statutory declaration, and if the statement contained in this letter should prove correct, that is, that he is the owner of these improvements, and they are to the value of \$400⁰⁰ or the land, and that he has been a bona fide resident on this claim since the date he states 1881, that as a simple solution of the matter it would be advisable to give him a lot free, another at one half

half

442

Mr. Langley

File 20780 No. 2.

Dear copy of Mr. Langley's
letter dated 7th February
to the Government and
let him that this has
been submitted to Mr.
Hesse, and that he suggests
a copy of this be sent to
agent with instructions
to take evidence for Mr.
Hadden in the form of
a statutory declaration,
and if the statement
contained in this letter
should prove correct,
that is, that he is the
owner of these vineyard
units, and they are to
the value of \$4000, on the
land, and that he has
been a good settler resident
on this claim since the
date he takes 1821, that
as a simple solution
of the matter it would
be advisable to give him
a lot free, another at one
half

half the upset price, he can purchase as many more as he wishes at the usual price, Mr. Pearce states that personally he has no knowledge of this claim and therefore recommends the foregoing course.

On the same file there is an application by B. Prince reference $\frac{53356}{B.6696}$ Prince's application for exchange of lots. Instruct the agent to grant him the same area as was granted under the first order of the Land Board but let him now select other lots in lieu of the ones he applied for now remaining at disposal of the Government unless the location of these lots fronting on the Saskatchewan River, between 35th and 36th Street interfere with public interests in the way of steamboat landing or any other purposes on the river.

From Mr. Choate

J. Pearce

half the cost price, he
can purchase an acre
more as he wishes at the
usual price, Mr. Pearce
states that personally he
has no knowledge of
this claim and there-
fore recommends the
foregoing course
for the same file the
is an application by B.
Pearce reference
B. 2332
Pearce's application for ex-
change of lots. Justified
The report to grant this
The same area as was
granted under the first
order of the Land Board
but let their own select
other lots in lieu of the
one he applied for and
convenient at disposal
of the Government can
see the location of the
lots fronting on the
Kathlamet River, between
32nd and 34th Street intersecting
with better interests in
the way of the road -
conceding to any other
purposes on the river.

How to find

[Signature]

B

983

947 981

9th April,80980
108128.

Sir,

I have the honor to acknowledge the receipt of yours of the 18th February having reference to certain lots in Battleford.

I am sorry that you misunderstood me. In the case of all purchases from McDonald & others whom I met I thought I had given them distinctly to understand that so far as any damage which they may have sustained by reason of said purchases that was a matter which rested wholly between the parties affected, and the Government.

Yours S. D. McI. Esq.,
Battleford,
Saskatchewan,
A. 1004.

74P

.. lingsp

08908
251801

id

-den al rorret ete sunt?

sever p. l'pice ete pbeuor

-et poveret poveret? et et p

in ete michele a michele

. bopelut

-am vop l'ortit poveret michele

am ete p. michele michele

blonol? michele michele michele

l'poveret? michele michele michele

pl'michele michele michele

reof ad l'ortit michele michele

poveret michele michele michele

poveret michele michele michele

reof ad l'ortit michele michele

poveret michele michele michele

reof ad l'ortit michele michele

poveret michele michele michele

l'ortit michele

reof ad l'ortit michele michele

poveret michele michele michele

reof ad l'ortit michele michele

poveret michele michele michele

Government could not take such into consideration.

If however by misrepresentation others obtained your money and you were led astray in the location of your buildings that was a matter for which you must go to the courts for redress.

If however you desire to obtain the four lots mentioned under all the circumstances I would recommend to the favorable consideration of the Minister that you should be allowed two of them at one-half the upset price the other two at the ordinary price; if however you only desire one I cannot see that the Government would be justified in selling

983

selling them to you at less than the ordinary upset price the prices placed on them considering their area are very moderate indeed; if Town lot is worth anything it ought to be worth \$30⁰⁰ considering the size 66 by 99 feet.

Any further communication you may wish to make on this matter please address them to the Commissioner of Dominion Lands at Winnipeg.

I have etc. etc. to be

Sir,

Your obedient servant,

Superintendent etc

all the way at night
 with the same
 with no break
 and also with
 it; but the
 much more than
 it is worth
 it is worth
 it is worth
 it is worth

in the
 at the
 should be
 more on
 the
 the
 the
 the

the
 the

the

[Faint, illegible handwriting throughout the page, likely bleed-through from the reverse side.]









